**CHAPTER ONE**

**1.1 BACKGROUND TO THE STUDY**

Modern Slavery in Nigeria has been one of the most prevalent vice that has plagued the country for about 3 decades. This has hugely affected our image as a nation locally and internationally. It is estimated that human modern slavery generates 150 billion dollars globally. Two thirds of this figure ($99 billion) is generated from sexual exploitation, including domestic work, Agriculture and other economic activities according to the pathfinder's initiative, (2018)

According to American professor Kevin Bales, co-founder and former president of the non- governmental organization and advocacy group Free the Slaves, modern slavery occurs "when a person is under the control of another person who applies violence and force to maintain that control, and the goal of that control is exploitation". The impact of slavery is expanded when targeted at vulnerable groups such as children. According to this definition, research from the Walk Free Foundation based on its Global Slavery Index 2016 estimated that there were about 40.3 million slaves around the world in 2016. In another estimate that suggests the number is around 45.8 million, it is estimated that around 10 million of these contemporary slaves are children Bales warned that, because slavery is officially abolished everywhere, the practice is illegal, and thus more hidden from the public and authorities. This makes it impossible to obtain exact figures from primary sources. The best that can be done is estimate based on secondary sources, such as UN investigations, newspaper articles. government reports, and figures from NGOS Modern slavery persists for many of the same reasons older variations did: it is an economically beneficial practice despite the ethical concerns. The problem has been able to escalate in recent years due to the disposability of slaves and the fact that the cost of slaves has dropped significantly.

Modern Slavery is a high low risk business which allows the operatives generally operate with impunity. Globally, there were only a total of 14,894 prosecutions and 9701 convictions 1251 prosecutions and 1119 convictions were generated on an entire African Continent in 2016. According to the (U.S department for trafficking in person report) The major cause of this decadence is attributed to the fact that corruption, conflict, climate change/resulting migration and western consumerism has eaten deep into the system thus increasing the vulnerability to slavery

However, there has been a call by concerned non-governmental bodies in anti-slavery that the national legislation should adopt the broad definition of modern slavery prescribed in the protocol. The legislative definition should be dynamic and flexible so as to empower the legislative frame work to respond effectively to slavery which

* Occurs both across borders or within a country (Not just cross border)
* Is for a range of exploitative Purposes (Not just sexual Exploitation)
* Victimizes Women, Children and Men
* Takes place with or without the involvement of Organized crime groups

Illegal Migration and modern slavery is an illegal business and a social problem. Modern slavery is a social problem because it affects many people. It affects different categories of people. It is a social problem because of the magnitude, the trend and pattern it has taken over the years. This business has unleashed untold hardship on victims who are mostly women and children. For most crimes to succeed there must be a giver and a taker. For the crime of slavery to succeed, there must be people who aid or facilitate the movement and transportation of victims to a defined destination. There must also be a group who abets the crime, and who are the receivers. Modern Slavery is an organised crime. Many people are involved. It is a chain or continuum, with people in the crime performing specific tasks. In this organised crime there are recruiters. These are people who go to villages to deceive young girls and boys through their parents. They give the impression to parents of assisting their relations for a better education, employment without the full knowledge of what await their children. Recruiters include sisters, brothers, in-laws, driver, business men and women, law enforcement officers, etc. The would-be victims move from one stage to another until they get to their final destinations where these young girls and boys are distributed to madams and "ogas" who need their services. We should bear in mind that the two weapons used by traffickers to get their victims are deception and through force. Modern slavery is a crime. Those who engaged in modern slavery are often friends, relations, neighbour and familiar people to victims. Modern Slavery is an organised crime. It has a chain of syndicate. In this organised crime we have the: Sponsors, financiers and facilitators, there are madams or bosses, supervisors, accomplices or collaborators, aiders and abetters, Victims or persons who are trafficked and exploited (Okeshola, 2007). Modern Slavery has continued to strive in Nigeria because of collusion among security, immigration, embassy and airline officials and traffickers. These officials often take bribes in exchange for facilitating smooth passage across the borders for operatives and their victims (Musikilu, 2008).

The practice of entrusting poor children to more affluent friends or relatives may create vulnerability. Some parents sell their children, not just for the money, but also in the hope that their children will escape a situation of chronic poverty and move to a place where they will have a better life and more opportunities (Adepelumi, 2015). Modern Slavery unfortunately, is one of the most flourishing and profitable criminal industries of the world. It has sometimes direct and sometimes indirect connections with the illegal arms and illicit drug trade industries. Commercial sexual exploitation and sex slavery form the major chunk of demand that drives Modern Slavery numbers higher with forced labour constituting a proportionately smaller ratio of the demand for human beings as commodities (Shukla, 2011).

There is a general consensus that Modern Slavery is a multi-faceted global problem that continues to negatively affect a broad range of people including the victim, their family and wider community. (Ikeora 2016). According to the International Labour Organization (ILO) in 2016 a cumulative 20.9 million people recruited for forced labour and sexual exploitation globally. In UNODC report (2012) it stated that at least 136 different nationalities were trafficked and detected in 118 countries. Women accounted for 55-60 percent of slavery globally. Women and children together for about 75 percent. Modern Slavery for sexual purpose of sexual exploitation accounts for 58 percent of all slavery cases detected globally, while trafficking for forced labour accounts for 36 percent. The trafficking in person's report (2012) also notes an increase in slavery of children from 2003-2006 20 percent of trafficked person were children. Between 2007-2010, the percentage of trafficked children had risen to 20 percent. Of every trafficked child, two are girls and one is a boy.

Taken together, these estimates and trend suggests that Modern Slavery is a serious problem generating significant revenue for bandit operatives spanning many countries across the globe and affecting the lives of million people. Significant gaps in Knowledge of how to prevent modern slavery remains and research that illuminates the causes and prevalence, characteristics, trends and consequences of all forms of crucial for developing anti-trafficking prevention strategies and measuring their impact (US Department of state TIP report,2016)

In Nigeria Modern slavery has largely been on the rise. A country with a population of over 190 million people has been a destination country for women and children subjected to forced labour and sex trafficking. Nigeria was named one of the leading countries in modern slavery and illegal migration with substantial cross border and internal trafficking (UNODC) 2006

Modern Slavery is a multi-dimensional, comprising domestic (Enslavement within Nigeria from rural communities to urban areas) and international (Enslavement of women and children overseas) aspects. According to the reports for US department of state TIP report (2016). Nigeria trafficked person are recruited from rural to urban areas; women and girls for domestic servitude and sex trafficking; and boys for forced labour in street vending, domestic service, mining, stone quarrying, agriculture, textile, manufacturing and begging.

Bandits operating in the modern Slavery ring have a structure and hierarchy of slavery according to a report by counter trafficking expert Pemberton Ford (2017) in her book for human trafficking reports that Nigerian syndicates are well organised and undertake penetration of the host country public sector structure, in order to prosecute fraud and effect criminalised control.

With Regard to Nigerian sex slavery networks the US department of state (USDOS) 2017 notes that Nigerian sex traffickers operate in highly organized criminal webs throughout Europe and many sex trafficking victims begins to work for their recruiters in exchange for leaving sex themselves.

There are more readily available statistics on the numbers of women who are enslaved and illegally migrate from Nigeria into Europe, particularly into Italy. According to IOM, approximately 11,000 women arrived via the Mediterranean Sea into Italy in 2016, again mostly from Edo. IOM estimates that 80% of these young women arriving from Nigeria - whose numbers have soared from 1,454 in 2014 to 11,009 in 2016- will likely be forced into prostitution as sex trafficking victims. (According to Italian authorities, there are between 10,000 to 30,000 Nigerian women working in prostitution on the streets of Italy.) 90% of migrant women arriving into Italy from Libya arrive with bruises and other signs of violence. (In general, 83.5% of all Nigerians interviewed in 2017 reported to have suffered from physical violence of any kind during the journey, most often in Libya. A more recent December 2018 UN Report notes narratives by Nigerian migrants of unlawful killings, gang rape, prostitution, arbitrary detention, torture and inhumane treatment, unpaid wages, slavery, human trafficking, racism and xenophobia in Libya.) In 2017, a total of 18,000 Nigerian migrants were recorded to have arrived into Europe via the Mediterranean, 5,400 of which were woman (UNHCR, 2018). It is noteworthy that in the last three years, IOM has recorded an almost 600% increase in the number of potential sex trafficking victims arriving in Italy via the Mediterranean.

According to transparency International (2011) corruption is reported to have played a huge role in the menace of modern slavery, beginning with the victim's recruitment transport through to their exploitation. Corruption has facilitated the transportation of victims within countries and across borders. Corruption has largely prevented the arrest of most recruiters due to complicity from weak government institutions and law enforcers.

There is also a false consciousness among people about to be victims of modern Slavery which makes them enablers of modern slavery and illegal Migration this they do by negatively influencing members of their family or social unit. Given that members can function as socialisation agents (Brennan et al,2014). There is a general distrust and hopelessness for the Nigerian system. As this influences their decision to migrate and seek supposed greener pastures in Europe. The social influences experienced by the about to be trafficked victims exhibits itself in form of a hegemonic popular culture that glorifies overseas made wealth which also contributes to the increase in mass migration.

Core Reasons for the rise in modern slavery and illegal Migration are as follows:

* The high Level of poverty
* Ignorance of the risks involved
* Insufficient training and lack of access to educational opportunities
* The desire of families and their children to migrate in search of economic and social well being
* High demand for cheap and submissive child labour through traditional migration of adults within the frame work of economic activities
* Inadequate Control of the nation's many borders.
* Weak Institutional mechanisms.
* Preponderance of informal Economy
* Corruption in all its manifestation in the Trafficking in person (TIP) ring

**1.2 STATEMENT OF THE PROBLEM**

Modern Slavery has become a social problem of significant magnitude in Nigeria, many writers on the subject have suggested some probable causes of the problem. What this study is out to achieve is to address the issue of our porous borders which victims and recruiters skillfully take advantage of to boycott the constituted authorities of the police force and Immigrations to transport victims across countries like Libya. The study will also help to understand how the problem of modern slavery and illegal migration is being tackled by the Nigerian government and why some Nigerians knowingly embark on these journeys despite their knowledge of the inherent risks involved. In summary this research will identify and aim to fill several gaps in Human illegal migration, modern day Slavery and National Security.

**1.3 RESEARCH QUESTIONS**

1. What is the effect of illegal Migration and Modern Day Slavery?
2. What are the Historical Antecedent of Illegal migration and Modern Slavery in Nigeria?
3. Who are the key players/Actors in Illegal migration, modern slavery and their mode of operation?
4. What efforts has been made to curb the menace
5. In what ways has Illegal migration and modern slavery affected Human capacity and National Development?

**1.4 OBJECTIVES OF STUDY**

1. The central objective of this study is to examine the effect of illegal migration and modern slavery on the country's national security. The specific objectives are:
2. To examine/analyse the ways illegal migration and modern slavery has affected capacity building and National Development
3. To understand the Historical Antecedent of illegal migration and modern slavery in Nigeria
4. To seek to understand the impact of illegal migration on Nigerian's National security
5. To analyse the efforts made by government to curb illegal migration and modern day slavery in Nigeria
6. To Understand slavery. the roles of the key players and actors in illegal migration and modern

**1.5 RESEARCH HYPOTHESES**

For the successful completion of the study the following hypothesis has been formulated

(a) Illegal migration and Modern Slavery does not have any effect on Nigeria's national security

(b) Illegal Migration and Modern slavery does have effect on Nigeria's national security

(c) Illegal Migration and Modern Slavery does not have any significant effect on the nation's image

(d) Illegal Migration and Modern Slavery does have a significant effect on the nation's image

**1.6 SIGNIFICANCE OF STUDY**

By the end of this study the findings will be of great importance to Nigeria's security Agents (The Police) as the topic talks about the effect of migration on national security, the NAPTIP(National Agency of prohibition of trafficking in person) as the study will highlight the dangers of illegal migration and Modern Slavery on the economic growth of Nigeria. The study will also be of great importance to the immigration service as the study seeks to emphasize the dangers of illegal migration of persons outside the shores of Nigeria. This study will also be beneficial to the victims of slavery and those handling their treatment. This work is expected to be useful for policy and programme formulations by both governmental and non-governmental bodies that are interested in the fight against Modern Slavery in Nigeria. This will also be of great importance to students, lecturers, teachers and the general public as findings will add to existing literature.

**1.7 SCOPE OF STUDY**

The scope of this study talks about the effect of illegal migration, Modern day slavery and its effect on the national security with emphasis on most south eastern states in Nigeria which are known for their Slavery and illegal migration activities in the country and some other few selected states of the federation

**1.8 DEFINITION OF TERMS**

**NAPTIP**: National Agency for prohibition of traffic in persons and other related offences

**HUMAN TRAFFICKING:** It means the illegal trading of people for commercial gain

**SLAVERY**: Slavery is any system in which principles of property law are applied to people, allowing individuals to own buy or sell individuals as a de jure form of property

**ORGANISED CRIME:** This is a large-scale operation in which illegal activities are carried out as part of a well-designed plan involving a network of individuals for purposes of maximizing profit

**SYNDICATE**: This refers to a group of persons who organize, for the purpose of carrying out matters (usually financial) of mutual interest, often associated with illegal activities

**CHAPTER TWO: LITERATURE REVIEW**

**2.1 CONCEPTUAL CLARIFICATIONS**

**2.1.1. ILLEGAL MIGRATION**

Illegal immigration is defined according to the United States Immigration Services (2000) as "Immigration across national borders in a way that violates the immigration law of the destination country. An illegal immigrant is a foreigner who either has illegally crossed an international political border, or a foreigner who has entered a country legally but then overstays his/her visa." Illegal immigration is not a new phenomenon. Soon after World War II, and continuing through the 50s and 60s, clandestine immigration to France from Spain and Italy took place alongside with legal migration. Attempts to migrate illegally have always been dangerous, e.g., in similar scenario to what is occurring now in the Mediterranean Sea area, some post-WWII migrants in the Pyrenees perished in the snow trying to cross the mountains. Nevertheless, it is also true that illegal immigration in the last decade has known an incredible expansion, particularly with the emergence of globalization as well as bilateral free trade agreements which emphasize regional disparities. For example, the large gap in economic welfare between North and South Mediterranean countries or between the United States and South American countries generates growth in illegal immigration at a worrying rate. In addition to economic reasons, persecution and ethnic cleansing and other causes like weather-related disasters also result in increased immigration.

Meanwhile the consequences of the illegal immigration fluctuate from beneficial to disadvantageous aspects depending upon the situation in both source and destination countries (Salaheddine, 2010). The causes of illegal migration differ from individual to individual and from community to community. If someone asks, why people migrate out of their state of origin in favour of places that are not familiar? The reasons will vary with causes found in such diverse factors as ecological pressure, economic incentives, psychological motivation, political situations etc. Africa has extremely accelerating population growth which influences both for internal and external migration due to the population pressure in connection to this Hence (1971) identified areas suffering from population pressure and some indicators are: poverty, soil deterioration, degradation or outright destruction, Use of excessively steep slopes and other marginal lands, Declining crop yields, Changing crop emphases, Breakdown of the indigenous farming system, Food shortages, hunger, and malnutrition, Land fragmentation, disputes over land, landlessness, bad traditional cultures. Household decision-making is mostly common for predicting illegal migration in less developed societies like Nigeria because they expect short-term migration, circulation and the common practice of remitting income home. Awareness of different ways in which migration and the flow of remittances bring or fail to achieve benefits of development programs and can provide a new perspective on development difficulties and lead to new direction options. Social, economic and non-economic causes are many and varied within countries that include defeat in war, a desire for material gain or food, the search for political or religious freedom etc. Migration takes place when the benefits of migration are assessed by the migrants" interims of comparative advantages (Mohammed, 2016). The other basic reason for migration is that urban areas in destination area are relatively confers of power and privilege. Hence, people migrate from their home land areas for the demand of better necessities and due to the attractiveness of facilities and concentration of resources in the cities. These facilities and resources pull the migrants to abandon the countryside for the towns legally and illegally. One can take into account the inefficiencies of markets in many developing settings, eventually placed the push-pull factor. Rather than producing adjustment and equilibrium, migration has spurred the growth of the informal sector as rural origin persons settled, at least temporarily, for wages and employment chances below the hoped for formal sector offering (Michael, 1999). Basically when the information from the departed family or neighbour is relatively better, the migratory movement spreads and many more individuals follow for no other reason than the fellow feelings which unite families or friends to leave the original area and there may be an enthusiasm for something new for new tasks to undertake as sentiment which animates many of those who venture to migrate.

Another misconception relates to the confusion of modern slavery with issues of human smuggling and illegal migration. One of the important elements of human trafficking is "transportation from one place to another" which could be internally within the same country or outside the country resulting in some form of migration. The migrant status of a person is often given precedence over their need for protection. The first enquiry by officials in the destination country is to ascertain whether the person is a regular migrant or an undocumented one. Most often immigration officials do not look any further than the entry status of the person, to examine the circumstances of his/her migration or the exploitative situation of such a migrant. This has resulted in cases of modern slavery being treated as merely that of illegal migration or at worst human smuggling. Unfortunately, the confusion between human smuggling and trafficking contributes to not recognising the violations of human rights suffered by the victims of slavery, and prevents access to the protection provided by the international instruments and bilateral agreements.

Many Governments indeed approach modern slavery issue from the migration point of view and consequently adopt strict migration laws and policies to discourage migration in negation of the fundamental right to free movement and despite unfulfilled demand on the labour market. The effects of the anti-migratory laws and policies are to restrict entry of persons from developing countries to developed countries thereby denying them the benefits of trade liberalisation and globalization. The strict migration laws and policies invariably become counter-productive as they expose potential migrants to becoming more vulnerable and create lucrative avenues for traffickers to exploit migrants. It is pertinent to note that strict migration laws, especially by the wealthier receiving countries, have put human trafficking victims into worse situations of abuse. Most of the migratory laws and bilateral agreements provide for immediate deportation of illegal or undocumented migrants without giving those that are trafficked opportunities for recovery from the trauma of abuse. Moreover, these migration laws and policies in reality deprive the trafficked persons of the possibility of criminal or civil action against their traffickers. When modern slavery situations are treated as smuggling, traffickers benefit from impunity and escape the severe sanctions contained in anti-slavery laws. The victim is criminalized and denied access to the protection to which a trafficked person is entitled. As a result of the lack of the basic understanding of what constitutes "modern slavery" therefore, a lot of misapplied and unsuccessful strategies have been employed by governments and civil society in attempts to curb the trend.

Illegal migrants come under two categories: those who enter the destination countries in a regular situation and overstay their visa, and those who leave Nigeria without proper travel documentation and/or entered destination countries improperly. Also, the category of migrants who enter through the unofficial routes falls under the definition of illegal immigrants. Illegal migration occurs both out of and into Nigeria. Many ECOWAS citizens overstay the 90 days of grace without regularizing their stay; hence, the major expulsion exercises of January-March 1985 and May-June 1986 (Afolayan1988). Not only do illegal migrants come from the ECOWAS region, occasional expulsions have taken place of many expatriates in the commercial, professional and oil sectors of the economy. These people had either overstayed their visa period, or entered without the necessary documents to be able to stay. The problem is one of getting adequate data on such illegal immigrants.

On account of the porosity of Nigeria's border, many illegal immigrants can enter the country through countless ways along the country's land boundary of 4,047 km. However the major entry and exit routes used by most regular migrants/passengers, as of 1991 (NPC, 1991), were international airports (Lagos, Kano, Port Harcourt and Calabar), the two major seaports (Port Harcourt and Lagos) and about 150 other border posts, including Seme and Idiroko (south-western border) and Ilela (Sokoto) and Jibia (north-west and north-east border posts). Since then, Abuja International Airport has been opened. According to a survey by the National Agency for the Prohibition of Trafficking in Persons and other Related Matters (NAPTIP, 2005), the major trafficking routes from Nigeria were Edo, Kano, Kaduna, Calabar and Lagos. From these centres, and from ECOWAS borders, the routes were Benin, Cameroon, Gabon, Niger, Chad, Burkina Faso and Mali. Also, illegal immigrants could use either the Lagos or the Calabar exit axis, travelling by boat or any other vehicular means, either to enter or leave the country for varied purposes (trade/business) Those who use the northern land routes, via the porous borders of the States of Sokoto, Kebbi, Katsina, Kano, Jigawa, Yobe and Borno, are overwhelmingly male traders and farmers, who perceive the border as an imaginary line. (IOM2009)

Illegal migration statistics include data on breaches in legislation as well as on measures taken by the State to enforce immigration and other relevant legislation. These statistics could be taken as a proxy to illustrate trends and patterns of illegal migration occurring within, towards and out of the country. However, enforcement-related data do not represent the full picture of illegal migration and may only highlight key tendencies. Illegal migrants include foreigners refused entry at external borders, those found to be illegally present in the country, those ordered to leave the country, those returned following an order to leave the country (deported) and those who have committed administrative violations. Also included are foreigners who lost their regular residency status, those who committed crimes, human traffickers, victims of trafficking, and those convicted of smuggling of migrants. The major sources of data on Illegal migration in Nigeria are the NAPTIP, the NCFRMI and the NIS. However, the available data are not comprehensive enough because of the very nature of this type of migration.

Data on illegal Nigerian citizens in Europe are derived from the Eurostat Database, 2008- 2010These data refer to Nigerian nationals who are detected by the authorities of the EU Member States and have been determined - under national immigration laws - to be illegally staying. This category includes Nigerians who have been found to have entered irregularly (for example, by avoiding immigration control or by using fraudulent documents) and those who may have entered legitimately but have subsequently remained irregularly (for example, by overstaying or by being employed even without a work permit). Of course, only the persons who are apprehended or otherwise come to the attention of national immigration authorities are recorded in these statistics. These are not intended to be a measure of the total number of persons who are present in the country on an unauthorized basis. Each person is counted only once within the reference period

**2.1.2 MODERN SLAVERY**

The term modern slavery is a broad term used to encapsulate human trafficking but also to establish the difference between historical aspects of slavery and current trends. It is a term that is meant to invoke companions to chattel slavery, which was prevalent in the 18th and 19th centuries. This form of slavery where one person owns another as property they have purchase. The definition of modern day slavery has been expanded to include debt bondage, indentured servitude and other forms of control. ‘Modern day slavery’ began to be used because the term human trafficking assumes that transport must take place across borders. In Truth, the phenomenon can and does occur in victim's own neighbourhood.

There are many facets to defining slavery based on the type of slavery and trafficking and individual experiences as well as a number of typologies to consider. These typologies are based on movement (domestic versus International), Type of labour (sex versus non sexual), age (minor versus adult) and consent versus coercion (Narwin and Birdal 2014) "Free the slaves a non-profit advocacy and anti-abolitionist organization identifies distinct occurrences of slavery and they are as follows:

* Contract Slavery: Workers who are deceived into slavery through false employment contracts. The contract serves as lures because of the promise of genuine employment
* Debt Bondage: This type of slavery is based on both high usury loans where an individual accepts money from a lender and the borrower is then indebted due to high interest rates until they are forced to work-off the loan. The debts continue to grow, despite the work as more and more items may be added to the principle which in turn raises the already outrageous interest. In both sex and labour slavery, this type of debt bondage is prevalent. Acute examples of this type of debt bondage are exemplified in almost all countries where domestic workers are located. They are usually hired through an employment agency, which starts with exorbitant fees they are expected to pay and which only increases with the addition of other debts.
* Forced or Servile Marriage: Where a girl or woman has been forced into marriage against her will. This is a form of "selling" a woman or girl: usually to pay for family debts or to restore the girl's honour.
* Domestic servitude: Where household workers (Such as maids) are not permitted to leave their employer's residence and typically receive little or No pay and are vulnerable to any number of abuses including rape
* Sex Trafficking: Prostitution or commercial sex acts engaged in as a result of force, fraud, threat or force, whether physical or psychological. Child sex trafficking can never be considered consensual
* Child Soldiers: Children who are forced to become soldiers and engage in combat or forced to become soldiers and engage in combat or forced into the armed forces.
* Organ Trafficking: The Illegal sale or procurement of organ for transplant This is particularly rampant in the sale of kidney, followed by livers. According to the United Nations, the trafficking of organs and the trafficking of persons for organs removal are two different crimes. The latter is generally straight forward and covered in protocols against trafficking. However, there has yet to be an agreed on definition for the trafficking of organs.
* Cyber trafficking: This refers to the use of the internet and cyberspaces for the recruitment of victims, Advertisement and engagement of victim services and attracting clients.

Africa as a region is characterized by a variety of migration configurations, including cross border movements, contract workers, labour migrants and the migration of skilled professionals, refugees and displaced persons. However, there appears to be a twist in migration trends, as modern slavery is the latest addition to this list. The phenomenon came, not from statistical data, but from the alarm raised by the media and non-governmental organizations in Nigeria. Despite the horrid experiences of illegal migrants at the hands of Bandit operatives many Nigerians, especially female teens and young adults are still being exploited daily and brainwashed by the slavery ring in Edo State, which has led to its abolishment Regrettably today, more than 40 million remain trapped in modern slavery-in form of compelled labour, sexual exploitation, forced marriage, state imposed forced labour and Nigeria is a victim of this trending social malaise (Ryder, Forrest and Swing, 2017). Although there are no records of the number of youth involved in modern slavery, the Global Slavery Index report (2016) however puts 875, 500 Nigerians as victims of modern slavery. This implies that the country is one of the leading countries known for this trend. On its part, the United States Department of State observed that, Nigeria is a source transit and destination for women and children subjected to modern day slavery migrating to Italy, Libya and other parts of the world where they end up in sex and labour camps (Obiejesi, 2018). Presently, Edo State is Nigeria's trafficking hub and one of Africa's largest departure points. Every year, many youths migrate from the state after selling everything they have to finance the migration with the hope and promise that when they arrive, life will become better. Unfortunately, once out of Nigeria, these illegal migrants are taken hostage with little or no food, sexually and physically assaulted by their masters and sold as labourers in slave auction for as little as $400 (United Nations Children's Fund Report, 2017 and Nima, Ilassan, Leposo, 2018). Once upon a time, Africans were captured, chained, sold into slavery and emigrated into the "new world" where they were forced into all kinds of dehumanizing manual labour. The concerted efforts of different liberation and Christian movements nearly 150 years ago led to its abolishment. Although there are no records of the number of youth involved in modern slavery, the Global Slavery Index report (2016) however puts 875, 500 Nigerians as victims of modern slavery. This implies that the country is one of the leading countries known for this trend. On its part, the United States Department of State observed that, Nigeria is a source transit and destination for women and children subjected to modern slavery. A common trend in European Scientific Journal January 2019 edition Vol.15, No.2 modern slavery, particularly with Nigerians is that, they are lured to donate, give up or sell their organs at ridiculously cheap prices which the traffickers resell at exorbitant amount. Modern slavery has led to youth being taken into subservience due to their poor background. The old slavery period obviously has ended however, a new one known for its harshness has surfaced in Edo state and this preys on people both from the cities and villages.

Modern slavery for some time now has become a burning issue to concerned persons in Nigeria. The term modern slavery is a rebranding of human trafficking, which for many years was and still is a global social malaise, that has defied various solutions put in place to curb it. Modern slavery can be classified into labour trafficking and sex trafficking. Labour trafficking has to do with recruitment, harbouring, transportation, provision or obtaining of a person for labour, while sex trafficking refers to the forcing unwilling persons into sexual practices. This study deals with both brands of modern slavery. In this new form of slavery, young boys and girls are primarily the ones recruited and generally forced to work in plantations, quarries and mines offering trade and domestic servitude.

History textbooks are replete with works on how Africans were sold as slaves to Europe and America many centuries ago and how sacrifices and works done by the early missionaries brought the obnoxious trade in humans to an end. It is thus simply unimaginable not only to hear but see footage on the media, showing African illegal migrants and refugees en route Europe being sold at slave markets in Libya. In fact, the International Organization for Migration (IOM) (2008) has confirmed the existence of slaves being sold openly in markets in Africa where even children are bought and sold by traders, extorting them for labour, prostitution or ransom (Dearden, 2017). The yet to be answered question is how did Nigeria particularly, people in Edo State get to this level where the citizens, especially the youth would prefer to embark on suicidal missions instead of staying in their original place of abode? UNICEF (2000) has identified the major causes behind trafficking- a form of modern slavery to be prevalent poverty which ignites the push and pull factors, a high level of illiteracy, ignorance, joblessness and poor living standards as well as burden of poverty and desperation of poor and illiterate parents with large families who do not know the impact or nature of what their young ones are going into Modern slavery persists due to the lacklustre attitude of the Nigerian police in particular, the law enforcement agents in general, and a weak legal framework which essentially deals with trafficking for sexual exploitation. In fact, law enforcement agents are not fully-equipped, do not have the technical know-how and are not sensitive to deal with modem slavery. Trafficked persons often allege that some law enforcement agents at times collude with traffickers by aiding them with foreign documents and then facilitate crossing the borders and through ports (The Situation Assessment and Analysis Report2000: 234-235)

**2.1.3 NATIONAL SECURITY**

What is Security? Security is a state of peace, freedom, and highly safe environment (Nwagwuwu et al, 2015). According to Okechukwu et al (2017) security connotes safety; it's a place of safety. Security is the state of being free from any form of danger or any form of crisis. Security is the absence of violence and other form of terrorist activities in a particular geographical area. It is the absence of insecurity. Security is also a condition or a state of being protected from all forms of threats, which might appear in various ways emotionally, psychologically, and for this study physically (Keli, 2010). Literatures assert that security is one of the main challenges facing the Nigerian state (Otto and Ukpete, 2012).

According to Hussien (2014) nation-state with a security challenge is a big threat that can b exposed to danger anytime. Security in a nation state is very much needed and very important. Blum (2014) reveals that security is very crucial to a nation state's socio-economic development or economic growth. Relating to this study on International Migration and the Nigerian Immigration Service (NIS) security is one of the essential "pull" factors Nigeria must have if she wants to benefit effectively from international migration. This links us to Nigeria's border and its porosity. According to Onwuka (1982) Security is a very sensitive commodity in nation-states as it affects the international system, making the system (international system) conscious and dedicatedly watchful of various enemies and threats that might destroy the nation-state in question.

One of the enemies of a nation-state is the terrorist group this is one reason why a nation-state through the Nigerian Immigration Service (NIS) and other security agencies in the nation-state are conscious of her security. Where there is no peace and where there is perceived insecurity development might not be positive as investors would not risk their live and resources, in fact various warnings from the home countries of migrants and the various media platforms would definitely make the world know how insecure the nation state is an also how dangerous it can be for anyone to venture into either for business purposes or for any other reason. Nigeria is not excluded as in recent times the nation-state has been tagged as not secured and risky for various citizens to come in. This is why the effectiveness of the Nigerian Immigration Service (NIS) and the Nigerian Police force is very important through the support of the Nigerian federal government (FG). The Nigerian Immigration Service (NIS) has the responsibility to strengthen the Nigerian borders. The level of security consciousness at the gate of entry and exit of an organization or society determines the level of security in that society and in this case the nation-state. The Nigerian Immigration Service (NIS) automatically reduces the pressures for the other security agencies as they maintain the security inside the nation-state by cleaning up the remaining security threats that slipped away from the hands of the Nigerian Immigration Service (NIS) and those threats experienced in the service. This means that the Nigerian Immigration Service (NIS) has the first responsibility to secure the nation-state before the other security agencies like the Police gets involved. They are the first to be confronted before any form of enemies or threat can penetrate into the nation state. In other words, the Nigerian Immigration Service (NIS) has the responsibilities of not allowing criminals into the nation-state and individuals who pose as threats to Nigeria's development and security among many reasons.

The ECOWAS Protocol on free movement of persons, goods and services was established by ECOWAS to allow free passage of member states into one another territory without any difficulties or obstruction. It gives room for establishment of companies and citizens can live peacefully without any problem. The essence of the protocol is to improve the relationship that exists between West African countries in terms of trade, commerce, politics, and social events among others. Findings revealed that, the protocol has adverse effect apart from creating a free room for movement. Criminals/Traffickers have availed themselves of this initiative to perpetrate their nefarious activities. These have a lot of implication for the security of the sub region. There is no security of lives and properties, Bandit Operatives generally operate with so much impunity as they easily bribe their way through the corrupt security officials that are supposed to man our porous borders. Most of the crimes perpetuated by these Slavery operatives is said to be termed as a Trans-border crime.

However, ‘trans-border crime’ represent a number of illegal and notorious activities carried out by individuals and group across national and international borders, either for financial or economic benefits and also-political cum religious considerations. It is a set of criminal acts whose perpetrators and repercussions go beyond territorial borders. These would include human. The transfer of criminal activity from one country to another is a spill over effect of interrogation policies which loosen the borders for the purpose of development and enhancing great friendly balance crimes such as human trafficking, arm and drugs are seen to cut across one geographical area but the failure to check and properly control their various activities cause security issues especially the influx of arms around border. Out of the 1978 entry points in the country only 84 are approved and 1894 illegal route lies around the country. Of a true, the security system is greatly outnumbered by an expounded crime situation which in turn will lose it efficacy. (Phil William, 1998). As organized criminal groups or individuals carry out their illicit activities using major technological tools such as information networks, financial system and other sophisticated means. They also take advantage of difference in legislation, legal systems and traditions, which often seriously hamper state efforts to respond adequately to the threat of organised or trans-border crimes. Ortuno and Wiriyachai (2009) have maintained that, the past few years have been characterized by a significant increase in global criminal activities such as money laundering, trafficking in human and nuclear technology and material, the trade in human organs and migrant smuggling.

Trans-border crimes which have been present in Nigeria became more pronounced in the 1980s and by 1990s, although without much empirical evidence, Nigeria is counted amongst the top ranking global syndicates (Bayard, JF. Et al, 1999:10-11; Williams, P.1998:263-4)’ cybercrime. Syndicates involved in modern slavery are willing to protect their activities through violent and notorious organizational strategies to deter capture (Luna 2008). When borders opened (Trade liberalization), they facilitate the spread of Slavery/Criminal networks. The conditions favourable to crime/slavery include: the poverty in source countries and their drive to alleviate that poverty, the weakness of the new democracies, open borders, and lack of appropriately educated law enforcement agencies and a lack of cross-national cooperation has been discovered mostly to be responsible for cross-border crime.

Akinyemi Omolara in his work, Globalization and Nigeria Border Security: Issues and Challenges present globalization as one of the reasons for trans-border crime. To him, it has become easy for transitional crimes to be conducted such as the moving of money and Enslavement of people and goods across the world because of advancement in telecommunications, transportation and technology in general. The world has turned into a ‘global village’ with its own peculiarities as well as problems (Akinyemi, 2013). Globalization has allowed syndicates to move across the borders unhindered and even continue with illicit business with impunity as this affects the socioeconomic development and security of lives and property (Adeolu, L.G., & Fayomi, O, 2012 ;Akinyemi, 2013). The author had a different position as to the ECOWAS Protocol on Free Movement of People, Goods and Services which was established by the ECOWAS Member States in 1979. He postulated that; This protocol allows the movement of criminals to move across the border and also engage in cross border activities under the pretext of this protocol, posing a serious threat to the internal security of lives and property in the country, as the infractions at the border calls for enforcement of reforms of the border control system” (Akinyemi, 2013:5)

Recent Studies suggests that much of the conventional wisdom regarding how best to address Nigeria border crime and security is not only enacting a law but also creating proper national security awareness, involvement of new stakeholders in the security sector and strong institutional framework to checkmate the activities of trans-border crime. The porosity of African borders had been one major issue affecting the development of the continent, West Africa in particular. There is no effective policy to curtail the rate at which people migrate and transact trade without being duly checked at the borders. Various scholars have researched on the safety at the borders and likewise the rate at which crimes are perpetrated but adequate attention is not given to the security personnel across the border areas. The security personnel- Customs, Immigration, FRSC, Army, Navy are being designated to various outpost on both sides of the borders but their activities need to be questioned. Furthermore, the challenges of cross-border crime on the security of Nigeria are not adequately researched upon especially with the current trend in the international community terrorism. Every country is prone to terrorist attack and Nigeria has been affected highly with the Boko Haram sect in the Northern part of the country. The porosity of the borders around Niger and Cameroon gave way for the influx of external migrants to perpetrate attacks on foreign lands.

**2.2 THEORETICAL FRAMEWORK**

In review of relevant theories, the concept of Strain/Anomie Theory was used in this study it is a theory that was developed in America at the start of the 20th century. When America was seen as the land of opportunity which led to a huge wave of immigration there. Many individuals migrated in search of the American dream of prosperity, but found that the dream was not equally attainable by everyone. Strain theory was postulated by Emile Durkheim but has been advanced by Merton (1938), and Agnew (1992) to show that social structures within the society may encourage citizen to commit crime. Merton, (1938) posited that crime is not just a function of deprivation, but the result of a disjuncture or lack of connection between ends (goals) and the means of attaining those ends (Lynch2008). According to Merton, there are culturally assigned goals and aspirations (material and non-material things that all individuals should expect out of life). Then there are acceptable means of achieving the goals and aspirations (like obeying laws, seeking education and working hard). According to Merton, it is important that the culturally desired goals be achieved through legitimate means by all social classes. Often, much emphasis is placed on achieving these goals but the legitimate means are not equally attainable for some citizens. This lack of access to legitimate means leads individuals to seek the goals by whatever means necessary. According to Merton, crime is bred through this process as some people would respond to the strain/anomie between aspiration and the lack of opportunity by indulging in criminal behaviour. He further asserted that individuals respond to anomie by being innovators, conformists, ritualists, retreatists, or rebels. The theory postulates that crime is concentrated among the lower classes as they have the fewest legitimate opportunities for achievement and therefore, are most vulnerable to this strain. Crime however, cuts across social classes. Agnew (1992) contributed to strain theory by correcting the erroneous impression that crime is mostly perpetrated by people in the lower class. He proposed that crime be not tied to social class. He argued that should attempt to realize goals be blocked by others, the negative effect may lead to pressure. This pressure may persuade any individual (no matter his/her social class) to adopt illegitimate means to attain the goal.

According to the Journal of Research in Crime and delinquency (2001), the theory of Anomie as postulated by Robert Agnew and the Rational Choice Theory of Cornish and Clarke formed the theoretical basis for this study. This is in line with the view of Barak (2006), that criminal behaviour is not necessarily always simple and straight forward. In many cases, more than one theory can relate to a particular crime. Agnew (1992) revised the Anomie theory of Merton (1938) and proposed a general strain theory that is focused on the individual and not social class. The theory of Anomie posits that the social structures in the society can promote criminal behaviour. When the society lays much emphasis on material wealth and accords individuals, status based on their level of wealth. The situation is further worsened when the means for achieving the highly valued wealth is not evenly distributed in which cases some individuals may come up with their own means which may be criminal. Agnew's theory describes the situation in many developing countries, particularly Nigeria. According to Igbo (1999), in Nigeria, material wealth has become the yardstick for measuring success and people have come to glorify and worship material wealth regardless of how it is achieved. Nigerians accord people status and respect as they find wealth while those that do not have it are disrespected. This disrespect is further seen as a motivating factor to strive to acquire wealth, while in reality, it leads to anger and frustration.

From the perspective of Crime with slavery as the subject matter of this study the best theory which explains Modern Slavery is an integrated theoretical framework as been used by Thozama Mandisa and Mark Lanier, which provides a combination of theories to explain the trend and occurrence of modern slavery. To this research work, Economic theory is singled out to explain crimes, actions and behaviours which calculate the gains and benefits accrued from participating in a certain task. Economic theory of crime suggests that people make decisions to offend in ways that resemble their decisions made about other non-criminal activities, (Witt & Witte 2000:4, 6). The criminal might commit crime if the expected gains from legal work are less than the ones that are to arise from illegal work. The underlying principle of the economic theory is that, criminals commit crime because they have perceived the benefits from the crime to outweigh the possibility of being prosecuted and incurring costs, (Eagle & Betters, 2007:166; Persson &Siven, 2007:213). It is pointed out by Pratt (2008:44) as well as Witte & Witt (2002:2, 5) that individuals apply legal or illegal actions because of the expected utility from those acts and are influenced by the fact that the possibility of the expected gains from crime relative to earnings from legal work accentuates trafficking endeavours.

Another component of this theory is that the lesser the punishment the more modern slavery progresses. The probability of being apprehended prosecuted and sentenced and the value of the expected punishment will determine the extent of the crime. That brings another economic dimension in modern slavery that is presented by McCray, (2006) in which he argues that certainty is more important than severity. Furthermore, McCray observes that the criminal in this regard would act like an economist and apply the image of a self-maximizing decision maker, carefully calculating his or her advantage, which might be different from an opportunist whose will considered and reckless nature might get him into trouble. Certainty and severity of punishment are the two variables that are considered important for the formulation of an integrated theory. In summary, once rational decisions have been made vulnerability of potential victims ascertained and requirements of the demand considered the modern Slavery process resumes. The operatives of the slavery ring could by then have studied the legal response to modern Slavery to ascertain the sanctions confronting them should they get caught by the criminal justice authorities. The recruiters is a link between supply and demand, on one hand increasing supply through the recruitment, deception transportation and exploitation process and on the other hand boosting demand by providing easy access to the victims. This include recruiters as well as transporters, receivers, pimp brothel-keepers, corrupt border guards and producers of false documentation, all of who will benefit as the victims pass through their hands. Whatever the scale and means of the operation, the process is a systematic, well-organized economic phenomenon, involving the displacement and movement of persons solely to profit from the exploitation of the victim's labour.

Illegal migration is a topical issue globally, All countries fall into one or more of the categories of origin, transit and destination. Most research works have presented the issue from the policy makers’ perspectives, Previous studies concentrate on stock and flow, There is a need to have a socially embedded understanding of the issue of illegal migration. Most Nigerian youths within the age bracket of 18-35 are noted for being highly mobile. There are enormous push factors that lead Nigerian youth to illegal migration; this has largely and negatively affected our image as a country. Illegal migration undermines the security of the country; most youths that flee the country illegally are subjected to all manner of gory and despicable forms of modern slavery. Previous empirical studies have not done much on migration intentions of youth and experiences of migrants and the security challenges on the nation's highly porous borders.

According to Linus Akor (2011) a close look at Nigeria's social set up shows clearly that the capitalist nature of the economy has led to the polarization of the society into two diametrically antagonistic classes: the haves and the have-nots. What is more, the government's economic policies tend to favour the dominant capitalist class leaving the majority in dire straits. The collapse of the oil boom in the late 1970s and the imposition of the Structural Adjustment Program, SAP, at the insistence of the Breton Woods Institutions led to trying times for the majority of Nigerians. SAP has led to a decline in the purchasing power of the Naira and low capacity utilization of industries which in turn contributed to a decline in per capita income and a collapse of social services (Lipede, 2007). Inequalities in rural and urban incomes widened overtime. Food insecurity, inability to meet basic needs like education, health care, etc, reflected the deepening poverty in rural communities. Flight to urban areas failed to bring the expected succour for job seekers as rising urban unemployment made job seeking a fruitless exercise. Poverty and a lack of opportunities to improve people's social conditions lead to a general loss of confidence in constitute authority and the subsequent rise in the rate of crimes such as armed robbery, prostitution, trafficking of women and drug trafficking, etc. Poverty manifested in illiteracy unemployment and poor living standards occasioned by the failure of the government’s socio-economic policies, therefore, appears to be at the heart of Modern Slavery.

**2.3 HISTORY OF MODERN DAY SLAVERY IN NIGERIA**

Slavery has its legacy in Imperialism and Colonialism, serving as the fuel to agricultural industries not until the end of 19th century. Freeing Slaves took political acts by government(First in Europe and then the Americas), but these acts had to be followed up by social, economic and psychological supports in many cases, this did not happen and slave like conditions and mentalities persisted(Craig 2013)In fact more than 200,000 adult slaves remained in former French colonies in Africa's Sahel until 1960(the EconomistOctober 2016) The repercussions of the slavery is still apparent when looks at the uneven economic and social development of nations that were suppliers of slave labour, which informed the construction of notions of the world as first and third; north and south; and undeveloped and developed. Slavery in all its form has consistently existed in modern societies long after 19th century. In fact, we are living in a time when there are more slaves than any other point in history.

However, the history of modern slavery in Nigeria is said to have started in the south eastern part of Nigeria which dates back to 1900-1930's. According to Rutgers scholars (2014). The south eastern part of Nigeria underwent significant economic, political and social change as a result of European conquest. The Trans-Atlantic slave trade, the expansion of the legitimate trade in palm oil and the subsequent need for domestic labour contributed to a long history of modern slavery. The existing continuities between the Trans-Atlantic slave trade and the ways in which colonial authorities and Igbo, Ibibio, Efik, and Ijaw population mobilized juvenile productive and reproductive labour. Child dealing supported domestic labour needs at a time when the legality of colonial slavery was in flux. Nigeria's steep economic decline of 1920's and 1930's caused a dramatic increase in child pawning, stealing and dealing.

Many parents at that time pawned children in order to pay colonial taxes. Men pawned girls to raise the bride price needed for their own marriages and child dealers stole and sold children to add to their personal wealth. Historically, slavery is not a new phenomenon to mankind; it is as old as human existence and civilization. It dates back to the time of old empires and kingdoms when captivities of conquered empires were taking from their place of origin into slavery and made them to serve kings and queens of other lands. The practice later changed to the sales of the excess captives to other equally powerful kings that needed the services of slaves either as palace wards or status symbol and appearance of dignity, power and affluences or in some cases as objects of sacrifice to appease ancestral spirits. When, the continent of Africa was discovered by the early Portuguese explorer, the practice was exploited by the Portuguese sailor who saw the ready market for the African slaves in tea and sugar plantations in Europe and America respectively. Hence the beginning of the Trans-Atlantic and Trans-Sahara slave trades that saw millions of blacks' able-bodied men as commodity of trade to be ferried across the sea and Sahara into slavery. However, by the 18th century when the Europeans economic interest shifted slowly from agriculture to industry coupled with the humanitarian sentiment and movement that swept across Western Europe and American. By the last decade of the past century, global consensus has been developed that human trafficking and slavery are two brothers of the same parent, because they both represent similar purpose if not the same. The Geneva Convention on the Abolition of Slavery, adopted by the League of Nations in 1926 and joined by a Supplementary Convention in 1956, provides a precise definition of slavery and trafficking. The Convention described Slavery as the possession of a person and exercise over the same of any or all the powers attributing to the right of ownership. The Geneva Convention described trafficking as a practice which includes the act of capturing, acquisition or conferment of a person to reduce the same to slavery, as well as every act of acquisition or conferment by sale or exchange, and, in general, every act of trading or transport of slaves. This menace, represent one of the dehumanising form of human right abuse and child labour which nations have been encouraged to develop mechanisms and immediate measures to control.

**2.4 FACTORS OF ILLEGAL MIGRATION AND MODERN SLAVERY IN NIGERIA**

According to scholarly research factors of illegal migration/slavery can be broken down to push and pull factors, which is summarised in the table below;

|  |  |
| --- | --- |
| PUSH FACTORS | PULL FACTORS |
| * Perversion of cultural traditions * Poverty * Harmful Cultural and social realities. * Peer pressure * Weak legal frame work * HIV/AIDS Orphans * Gender Inequality/Patriarchy and low status of women * Lack of Information * High fertility and population growth * Inadequate Unemployment and Educational Opportunities * Economic Hardships * Manipulations of Religious Rituals | Need for low-skilled labour  High Profits  Low Risk  Desire to have a better Future  Hope for a better life, good pay and living conditions  Success of people who have been lured into the exploitative process. |

Push factors are those generally beyond the immediate control of the individual and that contributes to supply of slaves, such as poverty, unemployment, economic hardship, peer pressure, socio-economic inequality etc, while pull factors are those which tend to be within the control of the individuals and that contributes to the demand for slaves, such as low-risk, high profit, demand for sex and low skilled labour and the individual desire for a better life. Most literature on Modern slavery contains at least a reference to these push and pull factors (For example UNICEF 2006,) Okogie, 2009, Omoroguiwa 2013, Elabor Idemudia, 2003)

However Scholarly Research on modern slavery in Nigeria is largely conceptual(Agbu, 2003; Okojie2009,Elechi et al 2007)relying on secondary data sources and rescue industry reports produced by government and non-governmental agencies(For example, reports by UNESCO, UNODC,IOM,ILO,US department of state TIP reports) Consequently, much of the discourse policy making and enforcement has no evidence basis, because so little evidence based research has been undertaken on the topic(weitzer,2011;Zhang2012)

When scholars have conducted formative research on modern slavery, they have tended to rely on quantitative methods. Often coated in heavily positivist rhetoric (Capous-Desyllas,2007) This quantitative bias has in turn produced tautological insights that simply confirm push and pull factors such as poverty and lack of awareness; given these generalisation and a lack of rigour throughout Modern Slavery literature (Folami 2008;Omorodion2009; Attoh 2009; Omoroguiwa 2012:Abdulrahman and Ladipo2010;Geshinde and Elegbeleye,2011)The current crop of formative research therefore provides little value for policy makers and do little to advance illegal migration and modern slavery efforts.

For example, arguments within modern slavery literature in Nigeria tend to be divided into 2 camps on the one hand there are arguments for push factors which adopt a 'victim narrative' (Elabor-Idemudia, 2003, Attoh 2009;Geshinde and Elegbeleye,2011)This view of Modern Slavery tends to focus arguments on the exploitative cost of slavery on the individual and the community, including public health risks(Ngban&Asuquo 2009, Enaikele&Olutayo 2011 ;Abdul raheem& Oladipo, 2010). However, these studies seldom give adequate weight to the complex range of factors that can lead to voluntary behaviours in victims. On the other hand, there are arguments for the pull factors which recognise victim's agency as migrants in search of opportunities to better their lives. Some of these studies tend however to moralise modern slavery, conflating it with only one form of human trafficking (Sex Trafficking and prostitution). Thus discussion tend to stigmatise and label victims and their families as greedy, immoral and status seeking individuals (Okogie2009; Olufayo and Omotosho 2001, Osaghae 1998, Aghatise 2002) while glossing over the complex range of socio economic and socio cultural influences that sustain modern slavery in Nigeria. Again this is not a problem only unique to Nigeria; Cappos-Desyllas (2007)argues that most studies on modern slavery have either evolved as an extension of feminist debates regarding agency (Kempadooet al,2005 Anderson and Davidson 2003) or debates within the field of legal studies(Gallagher,2006).

Consequently, The Modern Slavery literature tends to present a black and white view of modern slavery when the reality is far more complex and requires more nuanced understanding (Weitzer,2014,Murray et al,2005). Furthermore by consistently citing push and pull factors in abstract terms like ‘poverty’, ignorance, greed and economic hardships, Modern Slavery scholars reduce their arguments to mere abstraction, thereby dehumanising victims and the multifaceted socio-cultural influences that foster the trade lived experiences of these push and pull factors are rarely explored, again due to the quantitative nature of some of the studies thereby limiting understanding of what it actually means to be poor in Nigeria, to be enslaved or to be at the risk of being enslaved.

Given the complexity of modern slavery, the dichotomous push/pull factors alone do not explain the prevalence of modern slavery in Nigeria, suggesting that scholarly attention ought to be given to advancing understanding of the problem including the lived experiences of modern slavery in socio cultural influences and the impact of dominant discourses about Modern Slavery. The US department of state TIP report (2016) agrees that a more comprehensive understanding of root causes that are specific to states, communities and cultural context is required in the Modern Slavery literature understanding unique vulnerabilities, along with trends in how people cope with these challenges, can help with the development of targeted prevention strategies.

Seo-Young Cho (2012) puts forward a large set of push and pull factors of modern slavery, the first determining the supply of victims from countries of origin, and the latter determining the demand for labour provided by victims in destinations - explain:

* Why certain groups of people take risky migration options and therefore may fall victim to Modern Slavery (migration and vulnerability pillars);
* And how/under which environments those migrants are more easily trafficked (crime and policy/institutional efforts pillars).

According to findings by Seo-young-cho (2012) it shows that the crime aspect of modern slavery is a robust factor pushing and pulling victims in origins and destinations, respectively. while the linkage between migration and modern slavery is less clear. In origin countries, institutional and policy quality matters, but the factors of this pillar do not turn out to have a significant impact in destinations. Interestingly, gender discrimination and development, indicators of the vulnerability of people to slavery, do not demonstrate robust effects and some indicators high fertility and mortality rates - have constraining effects that are contrary to expectations. It seems that gender discrimination and development do not have a straightforward relation with modern slavery, i.e., very low levels of gender equality and development also constrain Modern Slavery, possibly by discouraging human (female) mobility.

Cho (2012) identified the push and pull factors of modern slavery by identifying the four pillars explained previously and they are as follows:

* **MIGRATION**

IOM CTM (2010), a survey of about 10,000 victims, shows that most of victims were initially recruited for migration through personal connections or professional agencies, with less than 5% in the sample of the survey being kidnapped. This observation indicates that, from the outset, the majority of victims voluntarily decide to migrate elsewhere. In the literature, Mahmoud and Trebesch (2010) suggest that having a migrant in a family tends to motivate other family members to migrate and increases the probability of modern slavery in the family. Akee et al. (2010(a)(b)) also show that migration between two countries induces modern slavery flows between the countries. Friebel and Guriev (2005) and Auriol and Mesnard (2010) theoretically connect the linkage between migration policy and the prevalence of human trafficking in a country. One of the major reasons for migration is to seek a better life elsewhere. Thus, migration decisions are primarily shaped by economic reasons such as income levels, income disparity between countries, and employment opportunities (Bales 1999)

This economic motivation of migrants is shared by victims of modern slavery who initially wanted to migrate for economic betterment (IOM 2010). Additionally, some other factors facilitating migration and human flows can also provide a linkage to modern slavery flows, such as: information availability about migration options and other countries via media and personal contacts; transportation availability via technological development; the migration policy of a destination/origin country, and certain country characteristics pulling human flows (e.g. geographic locations and common languages). Furthermore, employment opportunities for the low-skilled in origin countries and demand for cheap labour in destinations can shape certain migration patterns more prone to modern slavery.

* **VULNERABILITY**

Most slavery victims are initially migration seekers. Thus, it is reasonable to expect that migration flows can provide at least a rudimentary indicator of modern slavery flows; thus, determinants of migration are overlapped with push and pull factors of modern slavery to some extent. However, the pool of migrants is not identical to the pool of slavery victims and therefore one needs to raise a further question in explaining modem slavery: why some migrants fall victim to Modern Slavery while others do not. In other words, what makes some migrants more vulnerable to Modem Slavery? In tackling this question, a vulnerability assessment is noteworthy (Akee et al. 2012). The literature widely points out that the vulnerable position of women in society is a powerful push factor of modern slavery outflows (Danailova-Trainor and Belser 2006; Di Tommaso et al. 2009; Bettio and Nandi 2010; Clawson and Layne 2007). Modern slavery is apparently gender-based violence, the majority of victims being females exploited in the sex industry (UNODC 2006; IOM 2010).

Thus, gender discrimination against women in employment is likely a factor pushing women to take risky migration options which can turn in to Slavery. On the other hand, the status of women may have a different impact in destination countries. The prostitution business is a common destination for victims, with high levels of education and employment opportunities for women in destination countries tending to encourage domestic women to find a job outside of prostitution. When domestic women fade out of the prostitution industry, foreign prostitution may substitute such a shortage of supply, as long as the size of prostitution market remains the same (Cho et al. 2012). With this in mind, gender equality may have a contentious effect on modern slavery in destination countries (Cho 2011). There are also other factors making people more vulnerable to Slavery. As discussed above, income is both a push and pull factor of modern Slavery However, it might be perceived that income differences actually motivate people to undertake risky migration because such a difference can make people resentful towards their current situation, and raise expectations for a better life. In this regard, income inequality can be a strong factor pushing underprivileged people to be trafficked (Mo 2011; Jac-Kucharski 2011). Also, conflicts, human rights violations and socioeconomic/political unrest lead people into desperately wanting to escape from their current living situation, therefore making people under such circumstances more vulnerable to human trafficking (Akee et al. 2010(b); Frank 2011, Koser 2000). Additionally, employment structures in origin and destination countries determine the vulnerability of migrants towards modern slavery in different ways. Better employment opportunities for unskilled workers (such as employment in agriculture) can constrain modern slavery outflows, given that most vulnerable migrants are unskilled workers (Clawson and Layne 2007), while large demand in the prostitution, agriculture and other informal sectors in destinations pull more vulnerable migrants into their countries, increasing the likelihood of being trafficked (Cho et al. 2012); Jakobsson and Kotsadam 2011; Danailova-Trainor and Belser 2006).

* **CRIME**

While modern slavery reflects an illicit, exploitative pattern of migration, it is, at the same time, a crime - specifically a transnational crime - involving the illegal transportation people for the purpose of exploitation (UN 2000). According to Interpol (2009), modern slavery is the third largest transnational crime, bringing large profits for organized crime groups. Much of the criminology literature documents the connection between human smuggling, human trafficking and organized crime activities (Aronowitz 2001; Salt 2000; Schloenhardt 2001). The studies show that organized crime organizations which are already involved in modern slavery such as human smuggling and drug/arms trafficking - are now expanding their business into trading victims of human trafficking for exploitative labour. These studies point out that such involvement of criminal organizations enlarges the scope of modern Slavery business, with the profits made through such business amounting to some billion dollars every year (Belser 2005).

In quantitative empirical studies, Akee et al(2010(a)) pioneer a study on operatives' incentives to operate modern slavery business in different countries. Their study suggests that the level of law enforcement and corruption, as well as the prostitution regime, can affect operatives’ incentives in selecting countries for their criminal operations. Based on the discussions in the literature, the prevalence of the crime of modern slavery seems to be determined by profitability, which is related to market and employment conditions in which victims are typically employed (e.g., prostitution, domestic servitude, agriculture and other informal sectors), the risk of being caught (law enforcement level), and the presence of already existent criminal organizations with respect to operation costs and knowledge of modern slavery operations. However, the crime aspect of modern slavery is something which has widely been neglected in the empirical literature and thus linkages between modern slavery and the prevalence of crime are still empirically inconclusive.

* **POLICY AND INSTITUTIONAL EFFORTS:**

As modern slavery is a crime, institutional efforts in combating the crime play an important role in explaining the prevalence of modern slavery and illegal migration. Much literature discusses law enforcement and the level of corruption as important factors, both in origin and destination countries (Akee et al. 2010(a), (b); Cho et al. 2011, 2012; Jakobsson and Kotsadam 2011). Besides the general rule of law, specific anti-slavery measures are also crucial to addressing the problem (Cho et al. 2011; Lloyd et al. 2012; Potrafke 2011; van Dijk and Mierlo 2011). The anti-slavery measures are namely prosecution policy punishing traffickers, protection policy for victims, and prevention policy controlling borders and tackling the causes of modern slavery (UN 2000). These measures are essential in addressing modern slavery problems as modern slavery is a specific form of crime which cannot be fully covered by other existing laws. At present, as anti-slavery is a relatively new policy area, the policy responses tend to reflect the severity of the problem a country faces (van Dijk and Mierlo2011), with the true effects of anti-slavery policies in reducing modern slavery only to emerge in the future.

On the other hand, some recent studies suggest that women's political representation can influence anti-slavery measures given that most victims are women and, therefore, female politicians may have more concerns about combating the problem (Bartilow 2010; Jac-Kucharski 2011). Furthermore, there is a need to address policy efforts tackling the root causes of modern slavery such as poverty, inequality and gender discrimination, as well as general development agendas, as modern slavery is also a developmental problem bringing about risks for human security (Potrafke 2011).

**2.5 REVIEW OF LEGISLATION AND POLICIES ON ILLEGAL MIGRATION MODERN SLAVERY**

* **MIGRATION AGAINST THE BACKDROP OF MIGRATION FRAMEWORKS**

The issue of migration has become more topical in recent times. Several significant events at international, regional, interregional (African and Caribbean, and EU-African) and sub- regional levels point to this. On the international scene, for the first time, the International Conference on Population and Development (ICPD), held in Cairo in 1994, featured a detailed chapter on migration and, along with the ICPD Programme of Action, drew attention to the interrelations between migration and development at the global level. Other major developments and activities are the Report of the Global Commission for International Migration (2005); the UN High-Level Dialogue on Migration and Development (2006) and the GFMD in Brussels (2007), Manila (2008), Athens (2009), Mexico (2010), Geneva (2011) and Mauritius (2012). Dialogues at the EU-African level are, among others, the Euro-African Conference on Migration and Development (2006), the Joint Africa EU Declaration on Migration and Development (2006), the Follow-Up Meeting of the Rabat Process (2007) in Madrid, and the EU-African Summit in Lisbon (2008). Notable among the events at the regional African level are the AU's Strategic Framework for a Policy on Migration (2004) and the AU Common Position on Migration and Development (2006) and, at the sub regional level, the ECOWAS Common Approach on Migration (2008). Significantly, the adoption by African heads of state of the AU's Migration Policy Framework for Africa in Banjul in 2006 provides a comprehensive and integrated policy guideline for AU Member States for the preparation and adoption of national and regional migration policies.

The components of the ECOWAS Common Approach on Migration are: better implementation of the Protocol on the Free Movement of Persons, the Right of Residence and Establishment; combating human trafficking and providing humanitarian assistance; harmonizing policies and bilateral agreements with third countries; promoting the adoption of migration policies by ECOWAS Member States, together with harmonized migration management and sector development policies; protection of the rights of migrants, asylum-seekers and refugees; ensuring the implementation of the Protocol on Free Movement of Persons within the ECOWAS zone and the International Convention on the Rights of Migrants and their Families; and recognizing the gender dimension of migration. Given the increasing role of female migrants, providing gender disaggregated data on the profiles of migrants and ensuring the inclusion of gender dimensions in migration policies have become pertinent issues. The 1981 African Charter on Human and Peoples' Rights affirms that every individual has the right to equal protection under the law, and prohibits the mass expulsion of non-nationals. This comprehensive legal framework for the protection of the human rights and freedom of migrants has been complemented by other conventions, including the (then) OAU Convention Governing Specific Aspects of Refugee Problems in Africa of 1969; the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which highlighted the specificity of the refugee situation in the region; the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention, 2009), which, for the first time, comprehensively addressed regional agreement on internal displacement, and, importantly, the African Charter on the Rights and Welfare of the Child, 1990. Nigeria has ratified a series of pertinent conventions and treaties, including the 1984 Convention against Torture and Other Inhuman Activity integrated policy guideline for AU Member States for the preparation and adoption of national and regional migration policies.

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* **MIGRATION POLICIES IN ECOWAS MEMBER STATES**

The nature of migration policies entails two dimensions: an internal dimension affecting the national territory and an external one that relates to the country's foreign affairs. According to the traditional approach, immigration-related issues, such as border and immigration management, are addressed as internal issues due to the effects of immigrant inflow on the national economy, security, and society. Emigration-related issues, such as the protection of and relations with nationals abroad or potential emigrants, are usually considered part of the country's foreign affairs.

However, this distinction may result in simplistic measures since one can discern between an external dimension of immigration policies and an internal dimension of emigration policies.

For example, immigration policies require collaboration with the country of origin of the foreigners residing in the territory.

It has become evident that policies need to address the links between emigrants and the development of the national economy, as well as internal sector policies. If the internal and external dimensions are addressed separately, migration policies as a whole may contain inconsistencies, and therefore produce ineffective results. Due to their twofold nature, migration policy processes involve a number of different ministries and stakeholders.

A framework that ensures a coherent and all-inclusive approach involving all key stakeholders necessitates policy coordination between central and local authorities. At the same time, a comprehensive national migration strategy that addresses both policy dimensions would give them a common direction.

**The International Movement against all forms of Racism and Discrimination (IMADR),** an international non-profit, non-governmental human rights organization devoted to eliminating discrimination and racism, in October 2015 mentions international rights instruments that Nigeria is party to:

"Nigeria is party to the Protocol to Prevent, Suppress and Punish Trafficking in persons, especially women and children (Trafficking Protocol) supplementing the United Nations Convention against Transnational Organized Crime, as well as to a number of international human rights instruments, including the United Nations Slavery Convention (1927), the Convention for the suppression of trafficking in Persons and of the Exploitation of the Prostitution of Others (1949), the ILO Forced Labour Convention (1930, No. 29), the ILO Abolition of Forced Labour Convention (1957, No. 105), the ILO Worst Forms of Child Labour Convention (1999, No. 182).

**Nigeria also ratified other international instruments which have provisions that can apply by extension to the protection of the human rights of trafficked persons, including**: The Convention on Elimination of All Forms of Discrimination against Women (1979), the Convention on the Rights of the Child (1989), the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Elimination of All Forms of Racial Discrimination (1965), the UN General Assembly Declaration on the Elimination of Violence against Women (1993), the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), the ILO Conventions 97 and 143 on Migrant Workers and 181 on Private Employment Agencies." (IMADR, October 2015, p. 3)

**Women Advocates Research & Documentation Centre (WARDC) describes further legal instruments on the international and national level**: “The UN Trafficking Protocol requires states parties to take action to penalize trafficking, protect victims of trafficking, and grant victims temporary or permanent residence in the countries of destination. Nigeria ratified both the Convention and the UN Trafficking Protocol in June 2001 and the Smuggling Protocol in September 2001. On the regional and sub-regional levels, AU and the ECOWAS, enacted part of the legal, and policy framework for dealing with the problem of trafficking. These include the ECOWAS Plan of Action to Combat trafficking in Persons, especially Women and Children, the ECCAS/ECOWAS Plan of Action to Combat Trafficking in Persons, especially Women and Children, the ECCAS/ECOWAS Multi-Lateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, the ECOWAS Policy on Protection and Assistance to Victims of Human Trafficking, the ECOWAS Guidelines on Protection, Assistance and Support to Witnesses. Also relevant is the AU Migration Policy. Other relevant legal instruments on the national level are the Child Rights Act (2003) and the Child Rights Laws of the states that have passed them. These legislation, passed at the federal and states levels address the problems of trafficking through penalization. Also, the various Penal and Criminal Codes applicable at the federal and states’ levels contain provisions, which penalize trafficking in persons as well as sexual exploitation of women and girls.” (WARDC, June 2017, p. 15) IMADR writes that in 2003 Nigeria "became the first African country to enact an anti-trafficking legislation with the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003" and describes the 2015 amendment of this law:

“In March 2017, the Trafficking in Persons (Prohibition) Enforcement and Administration Act, 2015 was passed and repealed the previous law. The new Act primarily intends to reflect recent developments in trafficking that were not included under the previous act. For instance, it ensures that the penalties for breaching the provisions of the law are consistent with the spirit of the Trafficking Protocol. Indeed, the penalties given for offences listed under the 2003 Act were severely inadequate for the purpose of dissuasion and deterrence.

The 2015 Act increases the penalties for trafficking offenders. It prescribes a minimum penalty of five years’ imprisonment and a minimum fine of one million naira ($5,470) for labour trafficking offenses. The law prescribes a minimum penalty of five years’ imprisonment for sex trafficking offenses and a minimum fine of one million naira ($5,470); the minimum penalty increases to seven years’ imprisonment if the case involves a child. Moreover, the 2003 Act was found to be inadequate in effectively combating the evolving crime of Trafficking in Persons, with several new trends which were not taken into consideration at the time of enactment. The new law prohibits all forms of trafficking, including trafficking for organ trade or ritual murders.” (IMADR, October 2015, p. 4)

**The USDOS also mentions the 2015 amendment of the "Trafficking in Persons Law Enforcement and Administration Act" and goes on to describe the contents of the act**: “The Trafficking in Persons Law Enforcement and Administration Act, as amended in 2015, criminalizes all forms of trafficking and prescribes a minimum penalty of five years imprisonment and a minimum fine of one million naira ($3,290) for sex and labour trafficking offenses; the minimum penalty for sex trafficking increases to seven years imprisonment if the case involves a child. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Enforcement of the law remained ineffective in many parts of the country, and while officials made efforts to address trafficking cases, insufficient resources and jurisdictional problems between state and federal governments hampered efforts” (USDOS, 27 June 2017) The USDOL in September 2016 notes that the amendment increased the “penalties for human trafficking offenders” and restricts the “ability of judges to penalize human trafficking offenders with fines in lieu of prison time”. The act further “criminalizes the employment of children under age 12 in domestic work”. (USDOL, 30 September 2016, p. 4) CEDAW in its July 2017 concluding observations on the state party report of Nigeria “welcomes the revised Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, which 57 entered into force in 2015” and also welcomes “the establishment of a trust fund for victims of trafficking in 2008” (CEDAW, 24 July 2017, p. 9).

**The USDOS in its Investment Climate Statements for 2016 notes with regard to anti- child labour efforts:** “The GON [Government of Nigeria] adopted the Trafficking in Persons (Prohibition)Enforcement and Administration Act of 2015 on March 26, 2015. While not specifically directed against child labour, many sections of the new law support anti-child labour efforts. The Violence against Persons Prohibition Act was signed into law in on May 25, 2015 and again while not specifically focused on child labour, it covers related elements such as ‘depriving a person of his/her liberty,’ ‘forced financial dependence/economic abuse,' and forced isolation/separation from family and friends’ and is applicable to minors.”

**(USDOS, 5 July 2016) A Special Rapporteur's report published by the UN Human Rights Council (HRC) in June 2016 also refers to the issue of child slavery and notes**: “Nigeria has transposed the Convention on the Rights of the Child into national law through the enactment of the Child Rights Act, 2003, which prohibits, among others, slavery and practices similar to slavery, such as the sale of or trafficking in children, debt bondage, serfdom and forced or compulsory labour for children. The Act guarantees the provision of special protection measures for children in need, including assistance and facilities necessary for education, training, preparation for employment, rehabilitation and recreational opportunities in a manner conducive to achieving their fullest possible social integration and individual development. Furthermore, the Act prohibits the recruitment of children into the armed forces. In terms of the federal structure of Nigeria, national law does not apply unless specifically adopted by state assemblies. Only 22 out of 36 states have enacted the Child Rights Act. Borno, Yobe and Adamawa, the three north-eastern states most affected by the Boko Haram insurgency, have not yet done so. The lack of harmonization between sharia law and civil law is also said to be one of the challenges preventing states’ adoption of the Act. It is noteworthy that the Child Rights Act defines a child as someone under the age of 18, while the definition in the State Children and Young Persons Laws applicable in the three north- eastern states is someone under 15.”

**(HRC, 15 June 2016, p. 6) IMADR further mentions the legal provisions in the Constitution of Nigeria concerning slavery, servitude and forced labour:**” Section 34 of the Constitution of the Federal Republic of Nigeria (1999) guarantees the right to the dignity of the human person thus prohibiting the subjection of any person to slavery and servitude. It prohibits the subjection of any person to slavery or servitude providing that: ‘Every individual is entitled to respect for the dignity of the person and accordingly; no person shall be subjected to torture or to inhuman or degrading treatment; no person shall be held in slavery or servitude; and no person shall be required to perform forced or compulsory labour.’

Other relevant provisions in the Constitution are those that safeguard the rights to movement (Section 41), personal liberty (Section 35), and those that prohibit torture and inhuman or degrading treatment, slavery, servitude and forced labour (Sections 34(1)(a) (b) and (c) respectively)15”. (IMADR, October 2015, p. 3) IMADR describes the legal prescriptions of the two codes of criminal law in the country:

"Nigeria has two codes of criminal law; the Criminal Code covering the Southern states of Nigeria and the Penal Code applying to the North. The Criminal Code does not define what constitutes trafficking nor does it deal with the various forms of trafficking. However, it deals with the offences which may constitute external trafficking for prostitution and slavery. For example, the Criminal Code makes it an offence to procure women and girls for prostitution in or outside Nigeria (223(2)). There are also provisions dealing with offences of unlawful deprivation of liberty, slave dealing, forced labour, and sexual offences. For instance, section 365 deals with unlawful confinement or detention against a person’s will while Section 366 covers compelling someone to do something by threats, surveillance or other intimidation and is punishable by one year of imprisonment. If this involves assault, the penalty increases to five years.

The Criminal Code prohibits slave dealing, and Section forced labour (Sections 34(1) (a) (b) and (c) respectively) 15." (IMADR, October 2015, p. 3) IMADR describes the legal prescriptions of the two codes of criminal law in the country: “Nigeria has two codes of criminal law; the Criminal Code covering the Southern states of Nigeria and the Penal Code applying to the North. The Criminal Code does not define what constitutes trafficking nor does it deal the various forms of trafficking. However, it deals with the offences which may constitute external trafficking for prostitution and slavery. For example the Criminal Code makes it an offence to procure women and girls for prostitution in or outside Nigeria (223(2)). There are also provisions dealing with offences of unlawful deprivation of liberty. slave dealing, forced labour, and sexual offences. For instance, section 365 deals with unlawful confinement or detention against a person's will while Section 366 covers compelling someone to do something by threats, surveillance or other intimidation and is punishable by one year of imprisonment. If this involves assault, the penalty increases to five years. The Criminal Code prohibits slave dealing, and Section 369 punishes slave dealing with imprisonment for 14 years upon conviction of any offender. The Penal Code contains similar provisions on trafficking. Section 275 prohibits to induce girls below 18 to incitation of prostitution and others similar practices Section 278 provides that any person who buys, sells, hires, lets to hire or otherwise obtains possession or disposes of any person below 18 years with intent that the person will be or is likely to be employed or used for prostitution or other unlawful or immoral purposes is guilty of an offence punishable with imprisonment up to ten years and liable to pay a fine in addition. Section 279 creates the offence of slave dealing and provides that any person who exports, imports, removes, buys, sells, disposes of, traffics or deals in any person as a slave or accepts, receives or detains such person is liable to imprisonment for a maximum of 14 years and a fine. Section 280 punishes forced labour with a fine and one year imprisonment; enticement or leading away of any woman or girl (with or without her consent); for immoral purpose with imprisonment of up to 7 years and a fine. The Penal Code does not define the term traffic.” (IMADR, October 2015, pp. 3-4)

**THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999**

The 1999 Constitution also provides constitutional protection against slavery and forced labour or compulsory labour, sexual exploitation and deprivation of personal liberty of Nigerians. Trafficking in persons violates the provisions of Sections 17, 34 and 42 of the Constitution of the Federal Republic of Nigeria 1999. Section 172 provides that:

* The state social order is founded on ideals of freedom, equity and justice.
* In furtherance of the social order - the sanctity of the human person shall be recognized and human dignity shall be maintained and enhanced
* The state shall direct its policy towards ensuring that - (f) Children, young persons and the aged are protected against any exploitation whatsoever and against moral and material neglect. Section 34:3: Every individual is entitled to respect for the dignity of his person and accordingly: (a) No person shall be subjected to torture or to inhumane treatment or to degrading treatments. (b) No person shall be held in slavery; and (c) No person shall be required to perform forced or compulsory labour Section 42(2): No citizen of Nigeria shall be subjected to any disability or deprivation merely because of the circumstances of his birth. A trafficked person can challenge the infringement of the above mentioned rights under Section 46 of the 1999 Constitution, which states as follows: Any person who alleges that his or her fundamental human rights has been or is being or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress.4 Also, the Third Alteration of the Constitution provide, that ... the National Industrial Court shall have and exercise jurisdiction to the exclusion of any other court in civil causes and matters connected with or related to child labour, child abuse, human trafficking or any matter - connected therewith or related thereto

**CRIMINAL LAWS**

Penal Code applying to the North.2 4.1 Criminal Code. Under the Criminal code, there are various offences against liberty or slave dealing which could be used to prosecute trafficking in persons and prostitution. Section 223 of the Criminal Code provides that: Any person who:

* Procures a girl or woman who is under the age of eighteen years and is not a common prostitute or of known immoral character to have unlawful canal connection with any other person or persons, either in Nigeria or elsewhere, or
* Procures a woman or girl to become a common prostitute, either in Nigeria, or elsewhere; or
* Procures a woman or girl to leave Nigeria with intent that she may become an inmate of a brothel elsewhere; or
* Procures a woman or girl to leave her usual place of abode in Nigeria, with intent that she may, for the purpose of prostitution, become an inmate of a brothel, either in Nigeria or elsewhere; is guilty of a misdemeanour, and is liable to imprisonment for two years.

**Section 224 of the Criminal Code also provides that: Any person who -**

By threats or intimidation of any kind procures a woman or girl to have unlawful carnal connection with a man, either in Nigeria or elsewhere, or

By any false pretence procures or girl who is not a common prostitute or of known immoral character to have unlawful carnal connection with a man, either in Nigeria or elsewhere; or

Administers to a woman or girl, or causes a woman or girl to take, any drug or other thing with intent to stupefy or overpower her in order to enable any man, whether a particular man or not, to have unlawful carnal knowledge of her is guilty of misdemeanour and is liable to imprisonment for two years. A person cannot be convicted of any of the offences defined in this section upon the uncorroborated testimony of one witness. The offender may be arrested without warrant. Section 3653 deals with unlawful confinement or detention against a person's will while Section 3664 covers compelling someone to do something by threats, surveillance or other intimidation and is punishable by one year's imprisonment. If this involves assault, the penalty increases to five years. These provision cover some of the main methods of intimidation used by traffickers in Nigeria, particularly with regards to the situation of debt-bondage in which most women who are trafficked from Nigeria for purposes of prostitution find themselves. Section 3695 regards slave dealing as purchasing, selling, dealing with or transferring persons so they may be treated or held slaves or placed in servitude as a pledge or security for debt or entering into a contract or agreement in furtherance of these purposes. This is punishable by imprisonment for up to 14 years.

**CHAPTER THREE**

**RESEARCH METHODOLOGY**

**3.0 INTRODUCTION**

This chapter explains in details the design of the study, the population sample and sample procedure, the research instruments and techniques of data analysis for the study. The major focus of this study was to examine the effect of illegal migration on Nigeria's National Security. The following research questions were raised to guide the investigations

* What is the effect of illegal Migration and Modern Day Slavery?
* What efforts has been made to curb the menace
* What is the Historical Antecedent of Illegal migration and Modern Slavery in Nigeria?
* Who are the key players/Actors in modern slavery and their mode of operation?
* In what ways has modern slavery affected human capacity and National Development?

**3.1 RESEARCH DESIGN**

The survey research method was used in this study. This method was chosen to enable the researcher sample a cross section of the target population which would perhaps make the conclusion credible.

**3.2 STUDY POPULATION**

The target Population comprises of youths (men and women) between the ages of 18-35 who were victims of slavery. This will enable the researcher to properly understand the phenomenon of modern slavery through the eyes of the victims and to also know their lived experiences.

**3.3 SAMPLING PROCEDURE**

Since the entire victims of modern slavery in Nigeria cannot be used for this Study, it was decided that a sample target population would be taken from the victims of slavery held back by NAPTIP in their custody; this will reflect the distribution of the people into the following stratification

* Educational Status
* Sex
* Age distribution
* Religion

**3.4 RESEARCH INSTRUMENTS**

The use of survey which is administering of questionnaire and in depth interview was used in carrying out the research. Precisely the instruments sought to establish the respondent attitude to perceptions and knowledge of modern slavery. Their main reason for embarking on such dangerous journeys despite them knowing the risks involved.

The questionnaire comprises of 20 items. The first selection which is section A is made up 6 questions which will seek to elicit background information on demographic variables. The second part comprises of open ended questions. The questions come in a printed form which respondents filled individually, it consists of various factual opinion and classificatory questions based on the subject matter of the research. The questionnaire constitutes the principal technique in data collection. The questionnaire was chosen as a principal technique in data collection because it is comparatively cheaper, faster and more efficient in obtaining responses from the large number of sample within a short period of time.

The Second Instrument, which is the structured in depth interview, was used to elicit information from the media spokesperson of the Nigerian Immigration Service, The Nigerian Police, NAPTIP and DEVATOP centre for African development. This is in consonance with the researcher's desire to probe deeper and have cross fertilization of information and ideas on illegal migration and national security.

**3.5 DATA SOURCES:** The data for the study was sourced using the questionnaire and depth interview with the Victims of modern slavery, law enforcement agents, staff members of a non-governmental agency who are involved in organising advocacy and intervention programmes for the victims of modern slavery in border communities. In addition spokesperson of the National Agency for the Prohibition of Trafficking in person was also interviewed; the Comptroller General of Immigration. The use of text books and unpublished works alongside journals were also used for the research work; this was done so as to be in conformity with the topic of the study. Since the research is based on quantitative analysis, the method of statistical data analysis used for the research was the use of mean also known as average, this method was adopted because it incorporates the score from every subject in the research study.

**CHAPTER FOUR**

**4.1 ANALYSIS OF COLLECTED DATA**

In this Chapter, the outcome of the various tests administered on study elements will be discussed in full to provide reliable answers to the research questions enumerated in the preceding chapter. Each research questions will be discussed in details in the light of answer generated from the questionnaire.

Since the Study is primarily concerned with the effect of illegal migration and modern Mavery, it is imperative to provide statistical information. This is an addition to what has been presented as the view and thought flow of victims of modern slavery and illegal migration, security agents and NGOs and the outcome of the Research.

This Chapter also presents the summary of data analysis which shall be analysed under 2 sub headings

1. The Demographic Analysis
2. Research Questions

A total 50 questionnaires were administered, 30 were returned and they were used for this study and discussed serially according to the relevant statistics of inferential descriptive statistics of frequency and percentage.

**4.2 DEMOGRAPHIC DATA**

Table 1 shows the frequency and percentage of respondents by their ages

Age

FREQUENCY

16

4

5

5

30

PERCENTAGE

53.4

13.4

16.4

18-25

26-30

31-35

36-40

16,4

100

TOTAL

60

50

40

30

20

FREQUENCY PERCENTAGE

10

0

18-25

26-30

31-35

36-40

From the above table and figure, it shows the age distribution of respondents used for this study, the result shows under 18 to 25 years of age were 16(53.4) the highest while age range between 26-30 years were 4(13.3%), and age range between 31-35 years were 5(16.3%) and finally age 36-40 5(16.4%)With this Statistics, it implies that the age range between 18-25 years has higher percentage as it was used in this studyThis goes to show that the younger ones are more vulnerable and prone to fall victims of modern slavery

TABLE 2 shows the frequency and percentage of respondents according to sex

SEX

FREQUENCY

4

26

30

PERCENTAGE

13.4

86.6

100

56

MALE

FEMALE

TOTAL

Rivers has 7(23. 3%)North Central (Kogi, Nasarrawa, Niger State, Plateau) has 8(26.7%) South West 1(3.3%) middle belt 2(6.7%)This Implies that those from the south eastern part of the country has the highest percentage.

Research question 2 is also reflective of the table as it shows the historical antecedent Modern slaverySince modern slavery has its origin from the South Eastern part of Nigeria.

4.3 NON DEMOGRAPHIC DATA

Research Question 1: What is effect illegal Migration and Modern Slavery?

Item 7 of the questionnaire requested respondents to indicate if they know what trafficking means and its effectTo answer the question the spokesperson of NAPTIP,MsAdanna Anyelugo says that the effect of illegal migration and modern day slavery has made victims easy prey in the hands of the recruiters as they are most times subjected to horrendous torture and rape, most times they are drugged and beaten, she also went further to say that victims are used to traffic drugs, arms and they even become suicide bombers, making them a threat to the society,however on the other hand 93.3 % of those that responded to the research questionnaire affirmed that they know what slavery means and its effectThis is illustrated in the table below.

Frequency

2

28

30

Percentage

6.7

93.3

100

I am not sure

I know

Total

Table 8 shows Respondents view on if they know what is involved in slavery in persons an its effect

Frequency

16

6

4

Percentage

53.3

20

13.3

Voluntary migration with deception and Coercion

Exploitation

Crossing International Borders

61

Voluntary Migration for sex work

Restriction of Personal freedom

Confiscation of legal Identity

2

2

6.7

6.7

Total

30

100

From the table above, it shows us that 16(53.3%) victims of modern slavery voluntaril migrated with deception and on getting therethey were coerced into engaging in prostitution However, the high percentage of those that voluntarily migrated also said they were exploite and crossed international borders, out of the 16 some of them also admitted that their freedo too was also restricted and their legal means and identity was confiscated

Consequently, the frequency of respondents that solely chose exploitation are 6 20%)crossing International borders 4(13.3%), voluntary migration for sex 2(6.7)Restriction of personal Freedom 2(6.7%)No respondents chose confiscation of leg identitywo

Conclusively, it can be deduced from the above analysis that most victims migrate wilful through deception and coercion through recruiters that appear to have their best interest heart

RESEARCH QUESTIONS 2

What is the Historical Antecedent of illegal migration and modern day slavery in Nigeria. answering research question 2 the table below establishes where most slavery victims Nigeria come from?

Table 9

Frequency

29

1

Percentage

Rural Areas

Urban Areas

62

96.7

3.3

Total

30

100

Many of the respondents claim that most victims are from the Areas 29(967%). This also answers the historical Antecedent of modern slavery in Nigeria. Its Origin started among those living in the Rural Areas. It is also due to the uneven distribution of wealth, poverty and lack of education and awareness among those living in the rural areas, in this kind of situation it becomes an enabler of slavery and as such most of the victims are not aware of the dangers involved in giving their wards/Children to slaveryThe old mentality is still rooted in their orientation of slavery which dates back to the 19th Century.

Table 10 shows the frequency and percentage of respondents according to their unemployment status

Frequency

11

Percentage

36.7

63.3

Worked Before

Never

Before

Worked 19

30

100

Total

For most of the Respondents 63.3% have never worked before while 11(36.7%) have work before. What can be drawn from this analysis is that most of the victims of modern slav have never worked in their entire life. And this is what slave recruiters leverage on to lure entice unsuspecting victims. For the 11(36.7%) that have worked before they are enlightened enough of the tactics of the recruiters and in their quest for greener pastures fall victims as well because they have also been brainwashed by recruiters who tell securing a job abroad is easier.

Table 11 shows how well the respondents identify their recruiters

Frequency

19

1

Female

Male

Acquaintance

63

63.3

3.3

16.7

Percentage

Friend

Stranger

Husband

Private Companies

Total

2

6.7

Research

Question

3: Who are the key

3

30

10

100

players in modern slavery and their mode of Operation? The table above shows the major key players in modern slavery and from the frequencyit can be said that 19(63.3%) of the major player/Recruiters are females while 1(3.3%) are male, 5(16.7) are acquaintances, no respondents chose friends, 2(6.7) Strangers and finally 3(10%) says private companiesWith this, women are of the highest percentage followed by acquaintancesAccording to the interview conducted with the NAPTIP spokesperson Ms.Adanna Anyelugo she says that recruiters don't give up easily as they come up with new tricks to deceive unsuspecting victims and most times they come in form of Madam/Ogato entice them with seemingly juicy offers to travel outside the country

The Table 12 below also answers the Research Question 3

The Method through which people are falling victims of illegal migration and modern slavery

Frequency

2

26

2

Percentage

6.7

86.6

6.7

Deceit

False Job Promises Abroad

False Promise of Marriage

Genuine Employment Promise of legal

False Travel Arrangement

Total

30

100

Many of the respondents say that they are recruited through false job promises and fals Invitation abroad 26(86.6%), 4(13.4%) said they were deceived or were given false promis

64

of marriage. In Consonance to this analysisMrJoseph Osuigwe of Devatop African Centre for Development a Nongovernmental Organization for human trafficking says there isn't enough awareness especially in the rural areas to discourage people from falling victim. A lot of the recruiters come under the guise of been helpful by giving them promises of scholarship and helping their modelling career.

Research Question 4

In what ways has modern day slavery and illegal migration affected Human capacity and development? In answering research question 4 the table below establishes how often people want to travel abroad hoping to find a better life

Frequency

Percentage

93.3

True-28

Victims want to travel abroad hoping to find a better life

False-2

Total-30

Victims often want to go abroad and find a job

6.7

100

96.7

3.3

100

True- 29

False-1

30

The table above shows that a larger 28(93.3) of the people want to travel abroad hoping for better lifeThis also answers the research question because if more people leave the count under the guise of finding a better life, it will contribute to dearth in human capacity buildin and national development. This is because victims currently do not see any good in stayi back in the country to contribute to the country's national development and as such they ke falling prey to operatives that do not have their best interest at heart.

Research Question 5

What efforts have been made by the government and security agents to end modern slav and illegal migration? This question posed was to know how much efforts the governm and the security agents like the immigration and police. In answering this question

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questionnaire/interview was done with the spokesperson for the Comptroller-General of Immigrations MrMohammed BabandedeHe said that the government of Nigeria interacts with government of other countries were Bandit operatives in modern slavery are rife to facilitate criminal proceedings of modern slavery cases and punish culprits and their accomplices, he also went further to say that the immigration service monitors cases of immigration and Emigration to identify victimsMr Joseph Osuigwe of Devatop centre for African development, a Non-Governmental Organisation on human trafficking also gave his submission in this regard when he was interviewed, he stated that the security agencies and immigration are working studiously and they have also been very responsive and active in making sure that modern slavery is reduced to the barest minimum

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**CHAPTER FIVE**

**SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

**5.1 SUMMARY**

This Chapter presents the conclusion arrived at from the various research questions set and answered in this study. It also presents a few suggestions and recommendations on the effect of illegal migration and modern slavery on Nigeria's national Security.

The first chapter of this study is focused on the background to the study, the definition of modern slavery, the reasons for the rise in modern slavery, the statement of the problem, research questions, and research hypotheses, significance of the study as well as the definition of terms were provided in the first chapter.

In chapter two, relevant literature was reviewed and applicable theories to the study were also reviewed. Conceptual Clarification was discussed at length, history of modern slavery was also broadly discussed, push and pull factors of illegal migration and modern slavery were highlighted and review of legislation and policies on illegal migration and modern slavery was comprehensively discussed too.

Chapter Three, presented the research methodology. The study was the use of survey, while the instrument used in data collection was the questionnaire and interview guide. The Comptroller General of the Nigeria Immigrations was interviewed, the spokesperson of the National Agency for prohibition of trafficking in person (NAPTIP) Ms. Adanna Anyelugo and the Director of Devatop African centre for Development, Mr. Joseph Osuigwe were all Interviewed. In addition, the victims of modern slavery held back in the NAPTIP custody were the target population of the study, Random sampling techniques were used to arrive at the representative sample of the population.

In Chapter Four, the data collected were analysed and were subsequently discussed as answered the research questions. Chapter Four thus provided answers to the problem that was identified in the study.

**5.2 CONCLUSION**

From the findings, it is obvious that illegal migration and modern slavery has done more harm than good to the image of Nigeria and the psyche of an average Nigerian who have fallen victim to the deceit of operatives. So far in the study the concerned authorities like the immigrations and the anti-slavery agency have been playing a huge role in bringing modern slavery to its knees. The Study can therefore be concluded with the notion that if the proper incentives and education are put in place, there won't be any need for people to want to travel abroad be it legally or illegally for greener pastures.

Furthermore, the security, government, and the nongovernmental organisations have seen the need to be proactive and act accordingly by properly securing the borders, prosecuting perpetrators and enhancing human capacity and national development. With all of these in place modern slavery will be discouraged and less inviting especially when people are largely aware of the dangers involved. They won't harbour the thought of travelling outside the shores of the country

**5.3 RECOMMENDATIONS**

Based on the findings of the study, the researcher puts forward the following recommendations.

* Intensive awareness and proper Education of people living in the Rural area: These are the category of people that fall victims. The government and concerned authorities agencies need to do more in that area, most rural areas in Nigeria are still oblivious of worrisome trend of modern slavery and illegal migration, more orientation need to be done to discourage it in its totality.
* The security agencies need to be on top of their game in making sure they can easily. identify culprits, this is because recruiters keep evolving and coming up with new ways of recruiting victims especially with the advent of social media, which they are beginning to use to recruit un suspecting victims.
* The government should enact strict and rigid laws that will totally discourage future slave recruiters from ever giving slavery and illegal migration a thought. With these laws in place, less people will fall prey and the scourge of modern slavery will be totally eradicated.
* There is the need for adequate facilities and infrastructure to be put in place to keep the Nigerian system working effectively. Due to the high rate of poverty, people will always feel the need to move or migrate to places or countries that have a working system and as such they are sometimes taken advantage of because of the peculiarity of their migration.
* There is also need for strict and rigid labour laws especially on child Labour so as to checkmate the high rate of child slavery. Not only should these laws be applied to children but adults as well. Labour laws enacted should be channelled towards ensuring that illegal jobs through slavery are curtailed.

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**APPENDIX 1**

**INTERVIEW QUESTIONS**

1. Modern Slavery is beginning to take a heavy toll in Nigeria and among Nigerians, What has NAPTIP doing so far to curb this trend?
2. Is there enough awareness against on the dangers of Modern Slavery?
3. How is the Agency helping modern slavery victims to be absorbed back into the society?
4. Do you think modern day slavery can be totally eradicated?
5. Through the NAPTIP and the government has there been any reduction in the rate of modern slavery in Nigeria?
6. In what ways has modern slavery affected Human Capacity and Development?