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## Exploring Child Protection: Understanding Cultural and Legal Perspectives in the Context of Child Trafficking in Nigeria

**Wilson Diriwari**

Lecturer in Law, Niger Delta University, Nigeria

Email:wods234\_ola@yahoo.com,wilson@wsolicitors.co.uk

### Abstract

*Child trafficking remains a pressing concern in Nigeria, leading to numerous cases of child rights abuses and the exploitation of children for labour. This practice is morally and legally unacceptable. Nigeria's legal system embraces legal pluralism, allowing for the coexistence of inherited English law, traditional rules, and religious principles. However, this environment has often caused ambiguity surrounding human rights issues, particularly child rights. Thus, the purpose of this research is to investigate how culture and customs affect the continuation of child trafficking in Nigeria. This paper highlights the conflicting perspectives within Nigerian society on child trafficking. It also evaluates how well the current institutional and legal frameworks handle this problem. Textual analysis is the mainstay of the research methodology, which highlights the necessity of an interdisciplinary approach to effectively address the problem's several facets. In the end, the study comes to the conclusion that divergent opinions call for a change in strategy to stop child trafficking and safeguard children's human rights.*

**Keywords:** Child Trafficking, Cultural Perspectives, Traditions, Nigerian Society, Legal Perspectives

## **1. Introduction**

The issue of child trafficking is a serious concern in Nigerian society (Adesina, 2014). This essay seeks to objectively examine child trafficking in Nigeria while taking the country's legal and cultural environments into account. Child trafficking was previously explored in relation to human trafficking as a whole. Nonetheless, it is evident that traffickers are increasingly focusing on minors as the number of young children being trafficked both domestically and abroad has increased. The focus of discussions on child protection and rights has shifted to child trafficking as a result of this recent trend's increased national and worldwide attention. Regardless of whether the discussion revolves around abuses, cruelty, labor, or trafficking, there is a general consensus that society as a whole must provide the utmost protection for children. Traditional and religious communities, as well as governmental authorities, need to come to an agreement while taking into account Nigerian society's legal pluralism in order to protect the child's best interests. In order to protect children in the context of human trafficking, it is imperative that the tensions between traditional and cultural norms and contemporary views on the position of children in Nigeria be addressed. As a result, the purpose of this essay is to investigate Nigeria's contextual approach to child protection, with a particular emphasis on the shift in attitudes from traditional contexts to the current legal system. It also looks at several methods of dealing with child abuse in Nigerian customs. Adherence to conflicting perspectives between traditional and modern environments, where the law should be supreme, presents obstacles to the implementation and enforcement of child protection protocols. This essay makes the case that settling these divergent opinions is essential if Nigeria is to overcome its current problems. To combat human trafficking, the authorities in Nigeria must implement a suitable legal strategy that takes into account the country's unique cultural milieu. As a result, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) and the Trafficking Law Enforcement and Administration Act were both passed in 2003. Effectively addressing the problem of child trafficking is the goal of the Act and its pertinent sections.

With a special emphasis on child trafficking, the Trafficking Law Enforcement and Administration Act of 2003 and the organisations that it established were viewed as the right course of action to confront the problem of human trafficking in its entirety. Thus, this study evaluates the efficacy of the aforementioned laws and looks at the steps that the National Agency for the Prohibition of Trafficking in Persons, or NAPTIP, has implemented. This study also looks at children's perspectives within Nigerian society.

## **2. Perception of children in Nigerian Society**

### **2.1. Exploring the Cultural and Traditional Approaches**

Nigerian society is comprised of a multitude of customs and traditions. The tribes in northern Nigeria have different perspectives on childhood than do the tribes in the east, west, or south. Diversity is shaped by various cultural contexts. In these varied cultural circumstances, defining who is a child seems to be difficult. In his examination of childhood in the colonial Nigeria, Aderinto recognises this. According to Aderinto, "in colonial Nigeria, childhood was constructed socially and historically." Colonialism enforced universal and inconsistent standards to distinguish between a kid, young person, and adult, even if each ethnic group had its own definition of a child before to colonisation (Aderinto, 2012). Furthermore, Aderinto speculates that the Yoruba culture of collective parenting and childrearing may have had an impact on the idea that children were "innocent" and "vulnerable" entities that need

adult supervision, which supported the use of physical punishment and stringent discipline as successful strategies for ensuring that kids develop into responsible adults. Punishment and discipline were therefore seen as essential components of both official and informal training and education. Notably, the traditional Nigerian viewpoint emphasises deference to adults and obedience, placing children at the bottom of the social order. In the traditional Yoruba family, younger family members are supposed to serve older family members in a subservient and deferential way, placing a high importance on seniority. Children in southern Nigeria are considered to be the least important members of the traditional social hierarchy (Secker, 2013). In Western societies, the discussion surrounding the place and function of children in society has long been a significant topic. Comparably, cultural perceptions have shaped how children are treated in the West over time. Historically, children have transitioned from being seen as nonentities or miniaturized adults to being recognized as a distinct group of individuals, entitled to certain rights and protection, rather than being treated as mere property (Hart & Pavlovic, 1991).

## **2.2. Examining Divergent Views**

In pre-colonial Nigeria, each tribe had its own cultural definition of a child, which continues to influence perceptions today. The colonial power's efforts to establish a uniform definition of a child had little impact on indigenous communities. Even during the colonial era, there was ongoing disagreement over what constitutes a child, even if the British attempted to enforce a rigid distinction between a "child" and a "young" individual. Nigeria still grapples with conflicting views on the definition of a child, hindered by cultural and traditional perspectives that impede its progression towards being a fully modern society. Scholars like Agbibo (2013), Soyinka (1963), and other observers of African societies especially Nigerian society often voice divergent views on this issue. Nigeria's continuous conflict between tradition and modernisation may be understood primarily through examining the differences between the traditional and modern child. According to Kalu (1982), the essential elements of a child's cultural heritage, such as values, conventions, duties, responsibilities, festivals, and particular activities, are imparted in them by their traditional family. In the family, even though they are not directly participating, the child is exposed to various cultural experiences. However, the modern youngster is losing out on these experiences which are crucial for establishing a connection with their cultural heritage as they grow up and reside in farther-flung urban areas or attend school. This contrast between the Nigerian child of today and the traditional Nigerian child not only draws attention to divergent viewpoints but also illustrates the disparities in how childhood is defined in contemporary Nigeria and indigenous cultures. Nigerian children nowadays mostly grow up in cities, where they encounter many difficulties in a complicated world. Significant societal shifts have affected Nigerian childhood in the modern era, posing a number of challenges to the welfare of children in a nation that continues to uphold traditional values while pursuing industrialisation. It is important to note that the predicament of the youngster torn between conventional wisdom and contemporary arguments has grown more intricate. Ebigbo (2003) argues that children in Nigeria face particular difficulties as a result of the country's complex social and political structure, as well as the effects of industrialisation, racial tensions, unemployment, low levels of education, and migration to metropolitan areas.

## **2.3. The Importance of Embracing New Approaches in Understanding the Child**

This section examines the necessity of implementing novel strategies in reaction to the unstoppable currents of modernity and globalisation, particularly in relation to the legal system pertaining to child safety. Kalu, using findings from the World Bank in 1980,

emphasises how a society's goals for children are focused on their growth as important human resources for the expansion of technology in society (Ebigbo, 2003). However, Kalu argues that this expectation is built on a weak foundation due to various challenges faced by institutions responsible for socialising children, such as families and schools (Ebigbo, 2003). These institutions often struggle to fulfill their responsibilities adequately due to resource limitations or societal factors that hinder their efforts. This perspective aligns with Nigeria's vision as a modern nation, aiming to produce citizens capable of addressing the demands of modernization and contributing to economic growth. It is therefore understandable why Nigeria places such a high value on providing a safe and caring environment for children. It's crucial to remember that these expectations are categorically based on the idea of flimsy foundations. It should be recognised that while Nigeria aims for comprehensive development, strengthening families continues to be a top emphasis in addition to other matters.

### **3. Examining Child abuse**

#### **3.1. From Cultural and Religious Perspectives**

The importance of how children are viewed in a particular cultural context is critical to understanding the current debate over the establishment of a globally recognised definition of childhood. Even while some behaviors toward children are illegal in many indigenous societies, they may not be regarded as abusive. This kind of cultural validation could be one reason why child abuse continues to occur in many traditional Nigerian communities, affecting almost every member of the populace. Lachman (1996) implies that obstacles to child protection include those related to politics and the economy, scarce resources, the scope of the issue, and the lack of a research culture and experience. The many cultural perspectives of child abuse in Africa make it challenging to define the phenomenon. Frequently, it's difficult to distinguish between abuse and discipline (Lachman, 1996). The adoption of techniques that traditional communities regard as the only acceptable means of instilling social qualities in children is supported by the idea that certain activities improve a child's potential to contribute to the community in the future. Child abuse occurs in both rural and urban regions in a variety of manners. Wilson-Oyelaran (1989) identifies two prevalent forms of child abuse in Nigeria: physical abuse and child labor exploitation. Both the formal and informal sectors employ minors for exploitative purposes, such as hairstyling, helping beggars and hawkers, and working in factories and farms in settings marked by long hours, dangerous conditions, and little pay (Wilson-Oyelaran, 1989). Okeahialam (1984) highlights the perception that traditional African civilisation does not involve child abuse. He contends, however, that this perspective is grounded in the sociological understanding that the extended family offers the child safety, love, and care within the context of the culture. However, conventional methods of childrearing that involve punishment and treating childhood illnesses can harm a child physically and psychologically. Examples include burning the feet to stop seizures and administering harsh physical punishment for infractions. Various types of child maltreatment have been documented in Nigerian pediatric practice; these cases are frequently associated with the customs and culture of rural communities. Ebigbo (2003) notes that there are instances of child abuse in different parts of Nigeria. For example, in Western states, there are accounts of prophets accusing apparently "delinquent" youngsters of being witches by toasting their fingers. This is due to the belief in syncretic faiths and its prophets, who are said to have the gift of vision. Ebigbo also mentions the prevalence of child abuse in the Eastern United States, especially with regard to domestic workers. Originally meant to provide better training and opportunities for the child, placing a child in a relative's home has sadly evolved into an exploitative practice for housekeepers, who are frequently overworked. If adverse effects on children's development and emotional health are not evident, cultural

influences on childrearing should not always be viewed as a threat to the welfare of the kids. But in the guise of cultural norms, children frequently suffer from severe corporal punishment. Furthermore, the welfare of children in Nigerian society has been severely impacted by cultural and religious beliefs. About the relationship between religion and culture, Akhilomen (2006) claims that in many cultures and religions, harsh physical punishment is seen as essential to upholding discipline, imparting moral, cultural, educational, and religious values, pleasing gods, and driving out evil spirits. In traditional Nigerian communities, child witchcraft is a common occurrence that has recently expanded to certain urban regions. In Nigeria, the stigmatisation of children as witches has led to unspeakable levels of child maltreatment. Secker (2013) draws attention to the fact that over the past ten years, accusations of witchcraft against minors have grown in frequency, severely violating their rights. The identification of certain behaviors as child abuse is the main point of contention in the discussion of child abuse. Even though child labor is a common kind of child abuse, people who engage in it do not recognise it as such, despite the fact that child maltreatment is common in most traditional African societies. The practice of child labor is deeply ingrained in traditional communities, making its elimination nearly impossible, despite the fact that Nigerian authorities have grown increasingly concerned about it. Togunde and Carter (2009) elucidate how the origins of child labor may be found in pre-colonial African communities and have historical, economic, and cultural underpinnings. In general, child work has historically been viewed in African communities as a means of preparing children for future careers, notably in farming.

### **3.2. Conflicting Perspectives**

Since Nigeria, like any other nation, aspires to law and order in a contemporary setting, the inappropriate character of abuses in different Nigerian communities necessarily results in divergent judgments. Indigenous communities deny that these methods constitute child abuse and vehemently defend them. The two major currents' perspectives sharply vary as a result. According to Hart et al. (2004), the quest of power, identity, and gratifying human desires are all contributing motivations to violence against children, who are extremely susceptible. However, these motives are misguided when they involve abusing, dehumanising, or raping a child. The majority of tribes in Nigeria defend physical punishment by arguing that it helps the group as a whole and gets kids ready for adulthood. The proverb "Spare the rod, spoil the child" serves as the foundation for this defense. However, it is unlikely that these conventional methods will be accepted as they frequently have detrimental effects on a child's emotional and developmental health. These methods fall under the category of cultural constructions. Although many African civilisations firmly cling to rituals and customs that have no moral basis, they are still considered taboo and cannot be broken (Dimka & Dein, 2013; Makama, 2013). Ayokunle et al. (2013) underline that it is impossible to separate issues important to human development from the right parenting of children in a contemporary global world. They also point out that every culture has a set of traditional practices that try to maximise good cultural values as well as adaptable parenting techniques. They come to the conclusion that parenting practices and sociocultural variables interact to determine how well children are disciplined and raised. In any community, these concepts can be viewed as the ideal that should be pursued when applied rigorously. Regretfully, even though the majority of traditional Nigerian communities raise their children in accordance with these beliefs, the sharp disparity in how these ideas are actually put into effect exposes how flawed these communities' methods are.



### **3.3. The Importance of New Approaches in the Religious and Cultural Context**

Given the mounting concerns regarding child abuse and neglect, it is probable that necessary measures to be taken by the government or other organisations will be considered. However, it is clear that such an intervention is likely to be unorganised in the absence of a solid theoretical grasp of the issue backed by empirical data (Wilson-Oyelaran, 1989). Considering how urgent the situation is, a fresh strategy is required to deal with it successfully. In this case, the most important query is: "What is the most effective way to deal with child abuse in the Nigerian setting?" The goal of establishing a strong system of child protection is to eradicate all types of child abuse from society. However, social stability depends on certain cultural and historical values being preserved. However, this shared objective is frequently threatened by skewed cultural perspectives. Therefore, it is the duty of the government to encourage communities in Nigeria to give up customs that impede modernity and progress. The efforts of authorities, non-governmental organisations, and other groups aimed at establishing a society devoid of child abuse in general and child abuse that is expressly excused by culture and customs will determine if Nigeria adopts a new paradigm. Legislation may be one way to address the issue in this sense. However, all parties engaged must demonstrate creativity in order to bring about the required change because of the complexity of cultural settings and the requirement to preserve a calm social atmosphere. If people on the wrong side are made aware of the harmful and counterproductive consequences of their behavior, a new paradigm can arise in situations where there are stark differences in perceptions. In the Nigerian context, it is the duty of the state to persuade traditional communities to stop abusing children. To make the environment safer for everyone, they must so allot resources and put suitable plans into action. As previously said, legislation is not the only solution to this problem. Conservatives can be persuaded of the detrimental and anti-social aspects of their actions through a variety of tactics. 4. Methods for Protecting Children

#### **4.1. Traditional Perceptions**

Traditional communities view child protection differently as well. They believe that it is important to protect children because they play a vital role in the community. Children are expected to help out around the family and in agricultural pursuits like farming and herding cattle in these civilisations. This is thought to be very important. Because of the significant contributions that their children can make to the community, parents in many traditional African civilisations not only have several children but also take care to ensure that they receive proper protection. Interestingly, this is often seen as one of the main reasons for polygamous marriages in traditional African communities. The productivity of farming operations is thought to be influenced by family size. According to Igben (1988), one of the key elements affecting productivity and output on peasant farms is the make-up and size of the farming family. Although this practice was more common during colonial times in Nigeria, traditional communities still engage in it. It is noteworthy that customary Nigerian communities possess a distinct comprehension of safeguarding children. While safeguarding children may seem like a universal goal, every community has a unique method for doing this. In West Africa and Nigeria in particular, there is a strong emphasis on child fostering because it is believed that children who live outside of their immediate families can gain valuable wisdom. According to Renne (2003), in West Africa, child fostering is very common and is a significant part of the extended family's role in raising children. Particularly prevalent in Nigeria and West Africa is customary fosterage. Because traditional foster care is not prohibited by federal law, placing children in the care of family members is not seen as unlawful. Furthermore, certain contradictory and confusing customs are accepted in Nigeria's legal pluralistic environment. But giving up on legal plurality in Nigeria anytime soon is

unfeasible. As a result, a framework must be established to handle regular systemic conflicts, which frequently result in social distortions (Bolaji, 2013).

#### **4.2. Conflicting Perspectives**

Conventional settings have a different perspective on kid protection than do contemporary communities. Children are safeguarded because it is part of their essence as human beings, not only because it is a duty. This perspective of view sparks discussions regarding human rights. Children are viewed as objects in traditional cultures, but in modern and metropolitan surroundings, they are recognised as individuals with rights, irrespective of their origins, social standing, or family background. This leads to conflicting opinions. In the conversation on child protection, the idea of being a good parent is important. Serra (2009) implies that providing for a child's fundamental needs such as food, clothing, education, and emotional support is not the only aspect of being a good parent. It also highlights how crucial it is to comprehend nutritional and health practices in the modern world. According to this viewpoint, biological parents are better suited to raise children by finding a balance between tenderness and discipline. Some procedures under the current system, despite the conventional approach to child protection's goal of integrating the kid as a valued member of the community, may actually be detrimental to the child's wellbeing.

#### **5. The Importance of Ensuring Effective Child Protection in Nigeria**

Regardless of traditional environments, cultural or customary norms, or developmental limitations, it is imperative that children be protected. Hill and Tisdall (1997) stated that the welfare approach to children prioritises their well-being and recognises their need for extra protection as well as their distinctions from adults in terms of accountability and reasoning. Aliyu (2006) emphasised that children need legal protection, security, independence, and dignity because they have special needs for their physical and mental development. Ezekwonna (2005) argued that traditional African communities understood that individual and community conscience work together and focus on child-rearing endeavours. Therefore, children who follow the prescribed rules receive better protection from their community.

In Nigeria, responses by government entities to suspected and confirmed cases of intra-family abuse have come to be associated with child protection, as per Hill and Tisdall (1997). It is imperative, therefore, to assess the efficacy of national child protection authorities' initiatives. The state must take concrete steps to make a difference instead of relying solely on meetings and talks.

Townsend (2009) said that the safeguarding of children ought to be a top priority in government development initiatives. This claim is true since major changes happened as Western governments became involved in the child protection discussion. Lesnik-Oberstein (1998) observed that in Western nations, children and childhood have taken center stage in terms of politics, public policy, and the media.

Ethical questions arise in advertising to children, often discussed in child protection debates, as Gbadamosi (2010) pointed out. Regarding the advertising of children, there are rules governing socially responsible marketing practices for marketers working in the Nigerian market.

Umukoro (2013) noted that Nigeria is a country rife with poverty. The nation has the greatest rate of stunting in sub-Saharan Africa despite economic growth, with 41% of all children under five being classed as stunted and 23% as seriously stunted. Social protection is essential, and the Nigerian government has incorporated it into the Vision 20:2020

programme in an effort to boost income and productivity, lessen poverty and vulnerability, and improve people's ability to defend themselves against risks and income loss.

## **6. Legal and Institutional Environment for Combating Child Trafficking in Nigeria**

### **6.1. The Federal Institutional and Legal Approaches to the Issue**

In Nigeria, it is illegal to traffic in children and is punishable by law. The country has established an institutional and legal framework to address this issue, encompassing laws that prohibit and punish trafficking and the enforcement agencies responsible for implementing them.

The Nigerian Constitution, which particularly guarantees the right to dignity and forbids slavery, servitude, and forced labor, recognises human trafficking as a violation of human rights at the federal level. The majority of state anti-trafficking legislation are based on this fundamental idea. The Trafficking Law Enforcement and Administration Act was also passed by Nigeria; it was modified in 2005 and eliminated in 2015. Additionally, the nation has bilateral agreements in place to prevent human trafficking and keep an eye on trafficking routes with neighboring nations including Benin, Togo, and Ghana.

Nigeria founded the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) in 2003 in an effort to tackle child trafficking more successfully. NAPTIP works to raise public awareness about trafficking, especially targeting women and children. They organise events like racing against human trafficking in different states to reach remote areas where the problem is prevalent. NAPTIP also works in tandem with immigration services to track the whereabouts of traffickers and determine how they plan to elude law enforcement.

The Trafficking in Persons Law Enforcement and Administration Act 2015 guarantees victims of human trafficking protection, treatment, and nondiscriminatory practices in order to uphold their fundamental rights. It clearly indicates that victims of human trafficking shall not be imprisoned for any crimes they may have committed as a consequence of being trafficked.

Other laws also contribute to the protection of children, even though the Trafficking Law Enforcement and Administration Act is the main piece of legislation pertaining to human trafficking in Nigeria. The Child Rights Act 2003, for instance, covers children's rights and includes measures to safeguard them. All employees and employers are subject to the Nigerian Labour Act 1990, which includes specific laws that forbid forced or coercive labor and establish minimum employment ages.

The Nigerian Labour Act offers protections for children who might be working as a result of internal trafficking, even though it may not specifically address human trafficking.

### **6.2. Exploring the Institutional and Legal Approaches at State Levels**

Several states within the Federal Republic of Nigeria have taken proactive measures to combat human trafficking, particularly the trafficking of children. Instead of solely targeting child trafficking, most states have opted for a more proactive approach by addressing the issue of child labor within their jurisdictions. These states want to completely stop child trafficking by removing the need for child labor in industries like domestic service, agriculture, street begging, prostitution, and other ventures. To end child labor, Ogun and Oyo states have put action plans into place that are in line with regional and international agreements that Nigeria has ratified. Oyo State enacted legislation and strategy akin to Ogun



State's Child Rights Act 2003, which became the Child Rights Legislation 2006. Oyo State formed a state steering council on child labor to carry out the National Action Plan, even though it relied on the Federal Republic of Nigeria's pre-existing institutional and legislative frameworks. On the other side, Edo State concentrates on stopping the trafficking of women and children, mostly connected to prostitution. A bill to modify the penal code that makes accomplices including family members and religious leaders as well as perpetrators illegal was enacted by the State House Assembly. While the emphasis is on prostitution, the law addresses various offenses related to trafficking, increasing penalties and introducing compulsory medical examinations for deportees. But it ignores the rights of consenting individuals having voluntary sexual relations and doesn't particularly punish people who trade children and young women for non-sexual labor overseas.

## **7. The Question of Law Implementation and Enforcement in Nigeria**

### **7.1. Exploring Law Implementation**

Many nations, especially those in the developing world, have found it difficult to apply international legal systems. The reluctance to adopt certain instruments can be attributed to factors such as inadequate infrastructure and cultural barriers (Cho & Vadlamannati, 2012). Violations of human rights, especially those concerning children, are widely condemned and subject to severe legal punishment. However, this condemnation only exists in theory. The International Labour Organization (ILO) notes that although the majority of nations condemn child labor and forced labor, national legislation frequently lags behind these international obligations. The adoption of the Palermo Protocol has resulted in some advancements, such as the implementation of new anti-trafficking legislation in some countries or the harmonisation of domestic legislation with global norms. However, many nations continue to ignore all types of trafficking, such as the distinction between sex and labor trafficking, or they fail to identify particular populations as prospective victims. Furthermore, even though some nations have made human trafficking illegal, they are reluctant to give victims better legal status; as a result, only a small number of identified victims are permitted to apply for permanent residency in the country of destination. The Nigerian Federal Government created the National Agency for the Prohibition of Trafficking (NAPTIP) and passed a notable law that expressly targets human trafficking in an attempt to enhance its reputation abroad. This move supplements existing legal instruments that already incorporate provisions related to trafficking. NAPTIP is in charge of preventing adult trafficking in addition to child trafficking nationwide. Because of the seriousness of the problem in Nigeria, strict safeguards have to be put in place. In order to supervise issues pertaining to human trafficking, the Trafficking (Prohibition) Law Enforcement Administration Act 2003, sometimes referred to as the "NAPTIP Act," was established in 2004. Originally designed as a comprehensive legislative framework to address the ongoing issue of human trafficking, this legislation was later revised in 2005. Nigeria has worked hard to ratify treaties at the international, regional, and sub-regional levels, demonstrating effective compliance with the process. The Palermo Protocol, for instance, is domesticated in the NAPTIP Act, which incorporates, with only minimal adjustments, its widely recognised definition of trafficking. According to Section 64 of the Act, trafficking comprises all acts and attempts to act in a way that would lead to the recruitment, transportation across Nigerian borders, purchase, sale, transfer, receipt, or harboring of an individual through deceit, coercion, or debt bondage with the intention of holding or putting them in conditions akin to slavery, forced or bonded labor, or domestic, sexual, or reproductive servitude.

## **7.2. The Question of Trafficking Law enforcement**

Law enforcement refers to the actions taken to make sure local laws and ordinances are followed. Its main goals are to stop, identify, treat, or penalise people who disobey social standards and laws. In order to prevent and identify illegal activity, this entails actively participating in patrols, surveillance, and investigations. Although establishments such as courts and prisons are engaged in law enforcement, the police are typically the ones who bear the brunt of this duty. A number of specialised enforcement agencies have been established by governments in response to an increase in criminal activity and the creation of new crime types. These agencies collaborate with law enforcement. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) in Nigeria is one instance of this. In reaction to the worryingly high incidence of human trafficking and other problems in the nation, NAPTIP was established. It would have been excessive to rely just on the National Police Force (NPF) given the gravity of this crime in a country with a dense population. Customs and immigration agencies alone would have compromised national security by ignoring other illegal operations, given that trafficking activities transcend national borders. As a result, NAPTIP was created in order to combat human trafficking, especially the trafficking of minors. Section 4 of the Act delineates the functions of the agency and establishes its enforcement protocols. Collaboration with organisations like the Nigeria Police Force (NPF), Nigeria Customs Service (NCS), Nigeria Immigration Service, and occasionally the judicial system is a part of these procedures.

## **7.3. Exploring Achievements through Law Enforcement**

Nigerian law enforcement agencies have succeeded in prosecuting a substantial number of cases in spite of various obstacles. The US Department of State's 2013 trafficking report said that there has been some progress made in Nigeria's enforcement procedure efficiency. In 2011, NAPTIP proposed an update to the anti-trafficking statute that limited judges' ability to sentence defendants to fines rather than to prison terms and gave prosecutors additional power. At the conclusion of the reporting period, the National Assembly had not yet approved this amendment. The government claims that throughout the report's coverage period, NAPTIP launched 117 trafficking investigations, at least 17 prosecutions, and 25 convictions. By the end of 2012, there were also 143 active prosecutions. Despite a decline in investigations from the previous reporting period, this was viewed as a good development because law enforcement officials were more prepared to handle cases involving human trafficking. Attorney General of the Federation Toyin Ogbebor has demonstrated notable effectiveness in pursuing cases of human trafficking. In a certain instance, the accused was found guilty in accordance with Section 19(b) of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003 after misleading four victims into traveling overseas with the promise of employment. The trafficker was fined NGN 50,000 and imprisoned for two years. The issue of child trafficking was also a major focus of several prosecutions. According to Section 19 (1) (a) & (d) of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003, the accused in a case involving the Attorney General of the Federation and Chioma Ogbonna was found guilty of kidnapping and given a two-year jail sentence. The court underlined that penalties should act as a deterrent to others given the severity of the conduct and the rising incidence of human trafficking in Nigeria.

## **7.4. Challenges to Law Enforcement**

The requirement for qualified psychiatrists within the force and the engagement of parents and guardians in the trafficking of their minor children are just two of the obstacles that police forces must overcome in order to carry out their duties in this area. Because they have

the opportunity to make money, some victims view themselves as empowered rather than exploited. Getting witnesses to testify is challenging due to fear of retaliation, but the police face their greatest obstacle: a lack of funding. Effectively carrying out their mandate presents other challenges for the Immigration Service, such as limited interagency relations with the police, difficulty in identifying victims and traffickers, inadequate training for treating victims and traffickers, and inadequate training for relevant officers. It is necessary to address the various circumstances that contribute to human trafficking, especially the trafficking of children. These elements highlight inconsistencies between the handling of deeply ingrained societal concerns and laws and policies. If Nigeria and the Netherlands do not have an extradition treaty, the criminal justice system will not have the chance to prosecute perpetrators. In a specific case involving cross-border human trafficking, the Dutch government uncovered a recurring pattern among Nigerian girls in Dutch asylum centers. The offender involved in an international human trafficking syndicate could not be extradited due to the lack of a treaty. However, three other members of the syndicate were successfully prosecuted in the Netherlands. The Trafficking Act was amended in 2003 to cover property confiscation and the prosecution of traffickers. The maximum sentence for labor trafficking is now five years in jail and/or a \$670 fine. The maximum sentence for child trafficking is now ten years in prison. Even though the 2005 law was strict, more changes were advocated for, and in 2015 the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act was passed. Notwithstanding the efforts of international organisations, NGOs, and government agencies, the problem of child trafficking in Nigeria is still quite serious. The fight against child trafficking is made more difficult in Nigeria by corruption, and certain government officials' commitment in ending the practice is called into question. The US Department of State's 2016 Trafficking in Persons Report states that despite major efforts, the Nigerian government does not completely comply with norms against trafficking.

## **8. Conclusion**

This essay shows how complicated the problem of child trafficking and child protection is in Nigeria, where cultural, traditional, and religious views on the place of children in society have a significant impact. It is clear from a thorough analysis of numerous federal law documents that Nigeria has robust legal structures in place to combat human trafficking in general, including the trafficking of minors. Moreover, nearly all 37 states in Nigeria have pledged to fight child trafficking in their respective local areas. As Stanley (2007) implies every culture must acknowledge the critical role that today's young and children will play in the future. To end child trafficking in Nigeria, legislators, policymakers, and other relevant parties must work together to create an atmosphere conducive to efficient law enforcement

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