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Understanding Human Trafficking as a Social Justice Imperative

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Abstract

Human trafficking, a pervasive violation of human rights affecting millions globally, including vulnerable populations in Nigeria, through cross-border exploitation and domestic servitude, perpetuates cycles of inequality, poverty, and gender-based violence that undermine social cohesion and economic development. The aim of this paper is for readers to grasp human trafficking not merely as a criminal issue but as a core social justice imperative demanding doctrinal reform in Nigerian law to protect vulnerable groups equitably. This paper employed the doctrinal research method, which involves the systematic analysis of Nigerian statutes, case law, and constitutional principles on human trafficking to reveal gaps in addressing it as a social justice imperative and propose interpretive reforms for greater equity. This paper found that the Trafficking in Persons (Prohibition) Enforcement and Administration Act (TIPPEAA) 2015, according to section 13 of the Act, prohibited all acts of human trafficking, but overlooked root causes like poverty, gender discrimination, and feminised poverty that disproportionately affect women and girls, comprising up to 75% of victims. This paper also found that because of porous border control, which allowed officers to be corrupt, and weak inter-agency coordination, it enabled an increase in cross-border syndicates despite NAPTIP efforts. This paper recommended an amendment of the TIPPEAA 2015 to embed social justice principles, mandating purposive interpretation that links trafficking to constitutional rights under Chapter IV (e.g., dignity, non-discrimination), with explicit protections for women, children, and PWDs via tailored vulnerability clauses. This paper further recommended incorporating socioeconomic root causes like inequality and feminised poverty into prevention strategies.

Keywords: Human trafficking, social Justice, victim protection, structural inequalities

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1. Introduction

Human trafficking is a severe violation of human rights that exploits individuals through force, coercion, or deception for labour or commercial sex.¹ Recognising it as a social justice imperative

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¹ VD Monaco, Trafficking of Human Beings is a Social Justice Issue < <https://www.osce.org/blog/trafficking-of-human-beings-is-a-social-justice-issue> > accessed 15 August, 2025.

highlights the urgent need to protect vulnerable populations, ensure justice for victims, and address the underlying social inequalities that drive this crime.² Social justice is about ensuring that everyone is treated fairly and given equal opportunities in all aspects of life.³ Everyone has the right to equal social and economic opportunities and fair treatment because these rights enable individuals to live with dignity and fully participate in society.⁴ Traffickers often prey on vulnerable individuals by offering them false promises of escape from difficult and harsh life circumstances.⁵ In many cases, these victims have already faced systemic discrimination and oppression, such as racism, classism, sexism, ageism, ableism, and heterosexism, before falling into the hands of traffickers who exploit their vulnerabilities for profit.⁶ This paper aims to highlight the urgent need to address human trafficking not just as a criminal act but as a profound violation of human rights rooted in systemic social inequalities. It seeks to promote a comprehensive approach that protects victims' rights, supports their rehabilitation, and tackles the underlying structural factors, such as poverty, discrimination, and oppression that facilitate exploitation.

2. Conceptual Clarification

Human trafficking as a social justice imperative has elicited research interest from several scholars from diverse backgrounds across the globe. Pfeffer⁷ posits that human trafficking is now widely seen as a serious social problem affecting communities worldwide. While it was once viewed mainly as a crime to be tackled through law enforcement alone, it is increasingly recognised as a complex issue of social justice and human rights. Addressing it effectively requires a comprehensive and coordinated approach that extends beyond policing to encompass social, economic, and human rights interventions.⁸ Monaco⁹ argues that anyone can become a victim of human trafficking. However, persons living in unsafe and insecure circumstances are more prone to becoming targets and more likely to be dependent on and therefore continuously exploited by their traffickers.¹⁰ Seagrave, in her work, said that the current international approach to trafficking in persons is focused primarily on law and order, where criminal justice efforts are at the foundation of the framework to address and eradicate this practice.

Consequently, legal and social science scholars have done juridical and scholarly works on different issues that border on human trafficking and social justice. This review examines the opinions of scholars expressed in some existing literature that are relevant to this paper.

² *Ibid.*

³ Survival Thrive Advocacy Centre (STAC), 'Social Justice' < <https://surviveandthriveadvocacy.org/social-justice/>> accessed 15 August 2025.

⁴ Survival Thrive Advocacy Centre (STAC) (n 3).

⁵ *Ibid.*

⁶ United Nations Human Rights Office of the High Commissioner, 'Human Rights and Human Trafficking -Fact sheet no.36' < https://www.ohchr.org/sites/default/files/Documents/Publications/FS36_en.pdf> accessed 15 August, 2025.

⁷ R Pfeffer, 'Reframing Human Trafficking: From a Criminal Justice Problem to a Social Justice Issue' (2018) (18)(1) *Journal of Family Strengths*, 1-11.

⁸ *Ibid.*

⁹ Monaco (n 1).

¹⁰ *Ibid.*

2.1 Human Trafficking

Human trafficking involves the use of force, fraud, or coercion to obtain some labour or commercial sex act.¹¹ Every year, millions of men, women, and children are trafficked worldwide, including everywhere around the world. It can happen in any community, and victims can be any age, race, gender, or nationality.¹² Zimmerman and Kiss define human trafficking as a multidimensional human rights violation that focuses on the act of exploitation.¹³ The most widely accepted definition of human trafficking is found in Article 3(a) of the Palermo Protocol¹⁴ which define human trafficking as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for exploitation.¹⁵

Nigeria adopted the definition of human trafficking in the Article. 3 of the Palermo Protocol in the Interpretation section of the Trafficking in Persons (Prohibition) Enforcement and Administrative Act (TIPPEAA) 2015 which also define human trafficking “trafficking or traffic in person” means the recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of forces or other forms of coercion, abduction, fraud deception, the abuse of power of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person or debt bondage for the purpose of placing or holding the person whether for or not in involuntary servitude (domestic, sexual or reproductive) in forced or bonded labour, or in slavery-like conditions, the removal of organs or generally for exploitative purposes.¹⁶ The working definition for this paper is the definition of the Art. 3 of the Palermo Protocol.

2.2 Social Justice

Social justice is fairness as it manifests in society.¹⁷ A socially fair society means everyone has equal chances to get quality healthcare, secure jobs, and a safe place to live. It’s a community where everyone’s basic rights are honoured, and no one is allowed to treat others unfairly or with prejudice.¹⁸ In such a society, respect and dignity for all people are key, and discrimination simply has no place to grow.¹⁹ Social justice is a shared commitment to building and maintaining a society where every individual and group is valued and supported. It means working together to eliminate systems that cause harm, such as violence and racism, and ensuring that everyone’s dignity and humanity are honoured. This effort is about creating a community where no one is devalued or left behind.²⁰ Social justice means believing that everyone should have the same rights, chances,

¹¹ Blue Campaign, ‘What is Human Trafficking?’ <<https://www.dhs.gov/blue-campaign/what-human-trafficking>> accessed 28 August 2025.

¹² *Ibid.*

¹³ C Zimmerman and L Kiss, ‘Human Trafficking and Exploitation: A Global Health Concern’ <<https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1002437>> accessed 29 August, 2025.

¹⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Nov. 15, 2000, A/RES/55/25, UN Doc. A/55/383 (adopted), entered into force Dec. 25, 2003.

¹⁵ Palermo Protocol, Art .3

¹⁶ TIPPEAA 2015, s 82.

¹⁷ Human Rights Career, ‘What Does Social Justice Mean?’ <<https://www.humanrightscareers.com/issues/what-does-social-justice-mean/>> accessed 29 August 2025.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ Central Connecticut State University, ‘Our Definition of Social Justice’ <<https://www.ccsu.edu/john-lewis-institute-social-justice/our-definition-social-justice>> accessed 29 August 2025.

and fair treatment, no matter their race, financial background, who they love, or how they identify their gender. It's about recognising and respecting the dignity of every person and ensuring nobody is left behind or treated unfairly because of who they are.²¹ For this paper, the working definition we are using is the one provided by Dolan-Reilly, which centres on human rights, institutional and distributive equality, and justice as the core elements of social justice. This definition guides our understanding and analysis throughout the work.

2.3 Victim Protection

Victim protection encompasses all measures and legal instruments aimed at protecting, assisting, and strengthening the rights of individuals who have become victims of criminal offences.²² The objective of victim protection is to prevent further harm to those affected, to provide appropriate assistance and compensation, and to ensure sensitive treatment within criminal and civil proceedings.²³

Internationally, victim protection is recognised as a crucial element of justice for those harmed by crime and abuse of power.²⁴ The United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power define victims broadly to include anyone who has suffered physical, mental, emotional, or economic harm, or infringement of their rights due to a criminal act. Importantly, the Declaration stresses that victims are entitled to four key forms of redress: fair and timely access to justice, restitution, compensation, and assistance.²⁵ It also underscores the need to treat victims with compassion and dignity, protect their privacy and safety, and ensure their rights are fully respected throughout legal processes.²⁶

3. Root Causes of Human Trafficking: A Social Justice Perspective

Human trafficking is not just a crime; it is a harsh reality shaped by deep-rooted social injustices that trap vulnerable people in exploitation.²⁷ At the heart of this issue lie systemic problems of poverty that leave families desperate, a lack of education that limits opportunities, gender inequality that marginalises women and girls, and social exclusion that isolates entire communities.²⁸ Add to this the turmoil of displacement caused by conflicts or environmental disasters, which uproot lives and create fertile ground for traffickers to prey on fears and hopes of a better life. Traffickers target those who have few resources or support, exploiting their vulnerability for profit.²⁹ To truly combat human trafficking, society must look beyond punishment and acknowledge these root causes. It means embracing comprehensive social reforms, empowering individuals with education and opportunity, and shaping policies that

²¹ G Dolan- Reilly, 'The Definition of Social Justice' <<http://www.socialjusticesolutions.org/2013/01/15/the-definition-of-social-justice/>> accessed 29 August, 2025.

²² Legal lexicon, 'Victim Protection' <https://www.mtrlegal.com/en/wiki/victim-protection/> accessed 2 September 2025.

²³ Legal lexicon (n 22).

²⁴ M Bachrach, 'The Protection and Right of Victims Under International Criminal Law' (2000)(34)(1) *International Lawyer*, 7-20.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ Pfeffer (n 8).

²⁸ US Catholic Sisters against Human Trafficking 'Root Causes of Human Trafficking' <<https://www.ipjc.org/wp-content/uploads/2019/07/USCSAHT-HT-and-Root-Causes-module.pdf>> accessed 2 October 2025.

²⁹ C Weeks, 'The Slow Burning Effect of Human Trafficking following Disasters' (2025) (49)(3) <<https://pmc.ncbi.nlm.nih.gov/articles/PMC12038782/>> accessed 29 August 2025.

champion human rights and equality.³⁰ Only by addressing these foundational issues can we dismantle the conditions allowing human trafficking to flourish and help survivors rebuild their lives with dignity and hope.³¹

Poverty is a primary driver, pushing individuals and families towards risky decisions such as migration or accepting exploitative work due to a lack of financial resources and opportunities. Inequality exacerbates these vulnerabilities by limiting access to resources and justice.³² Poverty fundamentally creates conditions of desperation and vulnerability, compelling individuals and families to make high-risk decisions in search of survival and better livelihoods.³³ Poverty is often the driving force behind human trafficking. When people face extreme hardship and lack basic needs such as food, shelter, education, and employment, they are compelled to seek better opportunities, sometimes by migrating.³⁴ Traffickers exploit this desperation by promising jobs or a better life, but these promises often lead to exploitation and abuse. Women and girls face even greater risks due to gender inequality, which subjects them to trafficking for sexual exploitation and forced labour.³⁵

In economically deprived contexts, people often lack viable employment, adequate income, and social support, which drives them to migrate or accept potentially exploitative labour or services.³⁶ Traffickers exploit these precarious circumstances by offering false promises of employment, education, or improved living conditions, which victims and their families perceive as rare opportunities for escape from poverty.³⁷ Research in Nigeria demonstrates that high poverty levels significantly increase the prevalence of human trafficking, as families, driven by economic desperation, may even resort to selling children or permitting their exploitation under illusions of future gains.³⁸ Poverty is connected to relative deprivation, wherein individuals feel unjustly deprived compared to others in society, which can fuel migration aspirations and susceptibility to traffickers who offer a route out of their hardship.³⁹

Limited access to education and legitimate employment forces many to seek survival strategies that traffickers exploit. Economic instability heightens susceptibility to false promises of jobs or safety elsewhere.⁴⁰ Limited education restricts awareness, critical thinking, and the skills

³⁰ LN Sibanda, 'The Root Causes of Human Trafficking: A Critical Analysis of Contemporary Approaches to Human Trafficking' (2022)(8)(1) *Bologna Law Review* 217 -243

³¹ *Ibid.*

³² UNODC, 'Addressing the Root Causes of Human Trafficking' <https://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_9-2.pdf>accessed 9 September 2025.

³³ B Courson and others, 'Poverty is Associated with Both Risk Avoidance and Risk Taking: Empirical Evidence for the Desperation Threshold Model from the UK and France' <<https://pmc.ncbi.nlm.nih.gov/articles/PMC11793957/>> accessed 9 September, 2025.

³⁴ KM Perry and L McEwing, 'How do Social Determinants affect Human Trafficking in Southeast Asia and What can we do about it? A Systematic Review (2013) (15)(2) *Health Human Rights* 138-152

³⁵ Perry and McEwing (n 34).

³⁶ U Kothari, 'Migration and Chronic Poverty' <<https://gsdrc.org/document-library/migration-and-chronic-poverty/>> accessed 9 September 2025.

³⁷ BC Uzoh and JJ Udoka, 'Influence of Poverty on Human Trafficking in Akwa South Local Government Area of Anambra State, Nigeria' (2023)(VII)(VIII) *International Journal of Research and Innovation in Social Science*, 1043-1052

³⁸ YT Wuyah and IJ Mailamba, 'The Role of Poverty in the Prevalence of Human Trafficking in Nigeria' (2022) (9)(1) *International Journal of Contemporary Applied Researches* 1-12.

³⁹ UNODC (n 32).

⁴⁰ Human Rights Careers (n 17).

necessary for secure and lawful jobs.⁴¹ Without education, individuals have fewer legitimate employment options and lack the knowledge to recognise trafficking risks.⁴² This drives vulnerable populations, especially youth and women, to accept precarious or informal employment that traffickers mask as opportunities.⁴³ The absence of education also implies limited social empowerment, keeping victims trapped in cycles of poverty and exploitation.⁴⁴ Studies in Nigeria reveal a strong link between trafficking and lack of education, showing how ignorance about trafficking dangers increases susceptibility to traffickers' deceptive promises of lucrative jobs abroad or domestically in sectors like agriculture, mining, and domestic work that often exploit uneducated labour.⁴⁵

War, conflict, civil unrest, and natural disasters cause forced migration and displacement, disrupting social networks and protections. Displaced persons and refugees are highly vulnerable to human trafficking.⁴⁶ Specifically, as of April 2025, more than 122 million individuals were forcibly displaced worldwide due to persecution, conflict, violence, or human rights violations. These displacements disrupt social fabrics by breaking family and community support systems, forcing many displaced persons to seek refuge, often without the protections historically offered by such networks.⁴⁷

Discriminatory social norms and patriarchal structures devalue women and children in some societies, enabling trafficking as an extension of systemic gender inequality.⁴⁸ Discriminatory social norms and patriarchal structures deeply devalue women and children in many societies, creating an environment where trafficking thrives as an extension of systemic gender inequality.⁴⁹ Research demonstrates a statistically significant positive correlation between gender inequality and human trafficking rates across countries, indicating that the more unequal a society is in terms of gender, the greater the incidence of human trafficking.⁵⁰ This correlation highlights how gendered power imbalances manifest in limited access to education, healthcare, employment, and legal protections for women and girls, making them particularly vulnerable to traffickers.⁵¹

Patriarchal systems often reinforce women's subordinate status, limiting their economic opportunities and social empowerment, which traffickers exploit by coercing or deceiving them into exploitative conditions disguised as employment or social advancement.⁵² Gender inequality exacerbates poverty, which feminises poverty by disproportionately affecting women and girls,

⁴¹ Uzoh and Udoka (n 37).

⁴² I Zafar, 'Impact of Educational Attainment on Employment Outcomes in Jammu and Kashmir' (2025) (10)(2) *International Journal of Engineering and Management Research* 195-207.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ GU Osimen and others, 'Human Trafficking and Child Education in Nigeria' (9) (1) *American Research Journals* 193-205

⁴⁶ Love Justice International, 'What Causes Human Trafficking' <<https://www.lovejustice.ngo/blog/what-causes-human-trafficking>> accessed 9 September 2025.

⁴⁷ USA for UNHCR The UN Refugee Agency, Refugee Statistics-< <https://www.unrefugees.org/refugee-facts/statistics/>> accessed 10 September 2025.

⁴⁸ AA Aronowitz, 'The Social Aetiology of Human Trafficking: How Poverty and Cultural practices Facilitate Human Trafficking'<https://www.pass.va/en/publications/acta/acta_20_pass/aronowitz.html>

⁴⁹ JD Sanders, 'How Gender Inequality Drives the Human Trafficking Industry' (Unpublished Undergraduate Honours, University of Arkansas, Fayetteville, 2025).

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² HD Jakobsson, 'The Damaging Effects of Inequality: a Global Quantitative Study on the Correlation Between Inequality and Human Trafficking' (Unpublished Bachelor's Thesis, Uppsala University 2018).

thereby increasing their risk of trafficking. Inter-sectional disadvantages such as being a woman of colour or from an impoverished community further compound vulnerability and restrict access to justice and rehabilitation services.⁵³

Weak laws and poor enforcement fail to protect vulnerable individuals or deter traffickers, while displacement from conflict or disasters leaves people exposed without support. Social divisions like caste and ethnicity can further isolate and marginalise individuals, increasing their risk. However, factors like education, citizenship, and stronger social status can empower people and reduce vulnerability to human trafficking.⁵⁴

Human trafficking is not merely a criminal phenomenon but is deeply embedded in social justice deficits that demand holistic and intersectional responses.⁵⁵ These root causes are interconnected, with structural inequalities fostering environments where traffickers can thrive, reinforcing exploitation and victimisation.⁵⁶

4. The Social, Economic, and Legal Dimensions of Human Trafficking

Human trafficking is one of the largest criminal industries today, often described as a form of modern slavery.⁵⁷ According to recent estimates, over 50 million people worldwide are trapped in various forms of modern slavery, including forced labour, forced marriage, and sexual exploitation.⁵⁸ This criminal enterprise generates huge illegal profits. Forced labour alone accounts for approximately \$236 billion annually.⁵⁹ Many victims fall into this trap while trying to escape poverty or insecurity, only to find themselves trapped in violent and exploitative situations from which they cannot easily escape.⁶⁰

Human trafficking hides behind the shadows of society, often leaving victims invisible and unheard.⁶¹ Survivors who were trafficked as children endured unimaginable physical and emotional pain, yet their suffering went unnoticed by those who could have helped.⁶² Human trafficking shatters lives, exploiting vulnerable people for profit while destroying their dignity and hope.⁶³ Beyond the personal toll, human trafficking destabilises economies; for instance, countries lose a part of their labour supply when victims are trafficked away or become too traumatised to function productively. This results in lower overall labour productivity and a reduction in the available human resources necessary for economic growth.⁶⁴ Human trafficking generates huge

⁵³ *Ibid.*

⁵⁴ United Nations Office of Drugs and Crime, 'Root Causes' <<https://www.unodc.org/e4j/zh/tip-and-som/module-7/key-issues/root-causes.html>> accessed 10 September 2025.

⁵⁵ Sanders (n 49).

⁵⁶ Sibanda (n 30).

⁵⁷ World Economic Forum, 'The State of Modern Slavery is More Than you Thought' <<https://www.weforum.org/stories/2025/01/state-of-modern-slavery-is-worse-than-you-thought/>> accessed 10 September 2025.

⁵⁸ World Economic Forum (n 57).

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ United Nations Office on Drugs and Crime (Vienna), 'An Introduction to Human Trafficking Vulnerability, Impact and Action' <https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_Background_Paper.pdf> accessed 9 September 2025.

⁶² United Nations Office on Drugs and Crime, Invisible no more, the story of Jane Lasonder, victim of Human Trafficking <https://www.unodc.org/unodc/frontpage/2023/April/invisible-no-more_-the-story-of-jane-lasonder--victim-of-human-trafficking.html> accessed 9 September 2025.

⁶³ *Ibid.*

⁶⁴ EM Wheaton and others, 'Economics of Human Trafficking' (2010) *International Migration* (48)(4), 115-141.

illegal profits (estimated at \$150-\$245 billion annually globally) that circulate mainly within criminal networks. These dark market profits are not taxed and do not contribute to public revenues, limiting government capacity to invest in development.⁶⁵ Human trafficking also challenges legal systems worldwide; for instance, many countries' law enforcement agencies lack adequate training, financial resources, and experience to investigate the sophisticated transnational crime of human trafficking effectively. This limits the ability to build strong cases and secure convictions.⁶⁶ Human trafficking often involves multiple countries. Collecting evidence, extraditing suspects and providing victim protection across jurisdictions is challenging due to the lack of international cooperation, logistical difficulties, and differing laws.⁶⁷ In the U.S the case *Cruz v. Toliver*,⁶⁸ where the discovery had to be conducted both domestically and abroad, showcasing the investigative complexity demanding urgent, compassionate action to protect victims and bring criminals to justice.⁶⁹

The social dimensions of human trafficking are deeply troubling and multifaceted, profoundly affecting victims and societies alike.⁷⁰ Victims endure extreme physical, psychological, and emotional trauma, often facing repeated abuse, torture, and neglect throughout their exploitation.⁷¹ This trauma results in long-lasting mental health issues such as post-traumatic stress disorder, depression, anxiety, and suicidal tendencies.⁷²

Human trafficking has become an extremely lucrative criminal industry, now generating approximately \$245 billion annually worldwide, according to recent reports.⁷³ This staggering illegal market operates much like a business, thriving on supply and demand by preying on economically vulnerable individuals who seek better opportunities.⁷⁴ Economic hardship, such as rising unemployment, directly feeds this illicit trade as traffickers exploit the desperation of people looking for work or escape.⁷⁵ On average, traffickers earn around \$21,800 per victim every year, especially in developed countries, through forced labour and sexual exploitation. The criminal networks involved use sophisticated methods, including technology and complex financial systems, to maximise profits while evading law enforcement.⁷⁶ This economic dimension of

⁶⁵ Our Rescue, 'The Dark Market of Human Trafficking' <<https://ourrescue.org/resources/sex-trafficking/human-trafficking/human-trafficking-statistics/economics-of-human-trafficking>> accessed 17 September 2025.

⁶⁶ United Nations Office on Drugs and Crime, 'Challenges to an Effective Criminal Justice Response' <<https://www.unodc.org/e4j/en/tip-and-som/module-9/key-issues/challenges-to-an-effective-criminal-justice-response.html>> accessed 20 September 2025.

⁶⁷ Organisation for Security and Cooperation in Europe (OSCE)- Office of Special Representative and Coordinator for Combating Trafficking in Human Beings 'A Summary of Challenges Facing Legal Responses to Human Trafficking for Labour Exploitation in the OSCE Region' <<https://www.osce.org/files/f/documents/0/5/24342.pdf>> accessed 20 September 2025.

⁶⁸ No. 5:04-CV-231-R, 2007 U.S. Dist. LEXIS 24468 (W.D. Ky. Mar. 30, 2007).

⁶⁹ UNODC (Vienna) (n 25).

⁷⁰ EN Porter, 'Human and Social Service Professionals, 'Perceptions and Experiences Supporting Human Trafficking Victims and the Role of Social Capital' (Unpublished PhD Thesis, Walden University, 2024).

⁷¹ *Ibid.*

⁷² Porter (n 70).

⁷³ Faith Yahaya, 'Human Traffickers Make \$245 billion Annually-FG' *The Nation* (Lagos, 30 July 2025) <<https://thenationonlineng.net/human-traffickers-make-245-billion-annually-fg/>> accessed 22 September 2025.

⁷⁴ *Ibid.*

⁷⁵ BE Anam and FT Okorn, 'The Role of Poverty in Child Trafficking: An Examination of Vulnerabilities in Calabar Municipalities in Nigeria' (2024) (14)(1) *International Journal of Development Strategies in Humanities, Management and Social Sciences* (IJHDSHMSS), 550-561.

⁷⁶ Our Rescue (n 65).

trafficking poses a serious challenge to global governance, commerce, and human rights protections.⁷⁷

The legal framework against human trafficking involves criminalisation of trafficking acts, protection and assistance for victims, and adherence to international conventions. Key legal instruments that assist in combating human trafficking include the United Nations Convention against Transnational Organised Crime (UNTOC) and its protocols, especially the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), which constitute the primary international legal instruments.⁷⁸ These define trafficking broadly, emphasising acts, means, and purposes of exploitation, including sexual exploitation, forced labour, slavery, servitude, and removal of organs. They mandate states to criminalise human trafficking, protect and assist victims, and enhance international cooperation for prevention and prosecution. Other relevant international instruments addressing trafficking include the Slavery Convention (1926),⁷⁹ the Supplementary Convention on the Abolition of Slavery (1956),⁸⁰ the Universal Declaration of Human Rights (1948),⁸¹ the International Covenant on Civil and Political Rights (1966),⁸² and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979),⁸³ International Labour Organisation (ILO) conventions on forced labour and child labour,⁸⁴ the Convention on the Rights of the Child.⁸⁵ These international legal instruments create a broad human rights context opposing human trafficking and exploitation.⁸⁶ Effective legal responses require identifying victims correctly to ensure protection rather than criminalisation. Laws aim to prosecute traffickers suitably, protect victims' human rights, provide legal aid, and support repatriation or rehabilitation. Gender-sensitive, child-sensitive, and non-discriminatory approaches are foundational. Enforcement challenges persist, but states have clear obligations under international law to act against human trafficking, support victims, and address root causes.⁸⁷

Regional treaties and protocols such as the Economic Community of West African States (ECOWAS) are central to Nigeria's regional anti-trafficking efforts. ECOWAS Declaration and

⁷⁷ The Hope Newspaper, 'Human Traffickers make \$245 Billion Annually - FG' <https://www.thehopenewspaper.com/human-traffickers-make-245-billion-annually-fg/#google_vignette> accessed 15 September 2025.

⁷⁸ Sharing Electronic Resources and Laws on Crime (SHERLOC), 'International Law and Human Trafficking' <https://sherloc.unodc.org/cld/en/bibliography/international_law_and_human_trafficking.html> accessed 15 September 2025.

⁷⁹ League of Nations, Convention to Suppress the Slave Trade and Slavery, Sept. 25, 1926, 60 L.N.T.S. 253 (entered into force Mar. 9, 1927).

⁸⁰ United Nations Economic and Social Council, Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Sept. 7, 1956, 226 U.N.T.S. 3 (entered into force Apr. 30, 1957).

⁸¹ Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810 (Dec. 10, 1948).

⁸² The International Covenant on Civil and Political Rights (ICCPR) is a multilateral treaty adopted by the UN General Assembly Resolution 2200A (XXI) on 16 December 1966 and entered into force on 23 March 1976.14668 (registered 23 March 1976) UN Treaty Collection at treaties.un.org (IV-4)

⁸³ The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted by the UN General Assembly on 18 December 1979 and entered into force on 3 September 1981. Registration No. 20378, UN Treaty Collection at treaties.un.org (Chapter IV, No. 8).

⁸⁴ UN Registration No. 612; depositary is the ILO Director-General.

⁸⁵ The Convention on the Rights of the Child (CRC) has UN Treaty Series Registration Number 27531.

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

Plan of Action against Trafficking in Persons 2001,⁸⁸ this declaration, issued by West African heads of state and governments, signals a strong commitment to eradicate trafficking in the sub-region. It is accompanied by a Plan of Action outlining cooperative measures among member states, including Nigeria, focusing on prevention, protection, and prosecution.⁸⁹ Also, the ECOWAS Convention on Mutual Assistance in Criminal Matters (1992)⁹⁰ and the Convention on Extradition 1994⁹¹ facilitate cross-border cooperation in criminal matters related to human trafficking, including evidence sharing, mutual legal assistance, and extradition of traffickers to ensure they face justice.⁹² Protocols on the free movements of Persons Residence and establishment. These protocols promote intra - regional mobility but also include measures aimed at preventing trafficking abuses with migration corridors.⁹³

Nigeria has pursued bilateral agreements with neighbouring West African states to strengthen direct cooperation. A notable recent example is the Cooperation agreement between Nigeria and Cote d'Ivoire (2021), where they signed the agreement to enhance joint prevention, suppression, and punishment of trafficking in persons, particularly women and children. The agreement emphasises sharing intelligence, conducting sensitisation campaigns, protecting and rehabilitating victims, and fostering cooperation between the two countries. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) is the implementing agency on the Nigerian side.⁹⁴

The national legal framework that is used to combat human trafficking in Nigeria is the Trafficking in Persons (Prohibition) Enforcement and Administration Act (TIPPEAA) 2015, a comprehensive legal framework criminalising all forms of trafficking,⁹⁵ including trafficking of minors for sexual exploitation, forced labour, and other illicit purposes. It establishes the National Agency for the Prohibition of Traffic in Persons (NAPTIP),⁹⁶ charged with investigating, prosecuting traffickers, and coordinating anti-trafficking efforts. Penalties include imprisonment, fines, forfeiture of passports, and enhanced sentences for severe offences.⁹⁷ The Act also emphasises victim protection and cooperation between national and international entities.⁹⁸ Despite legislative progress, Nigeria faces challenges in enforcement, including corruption among officials, inadequate victim support, and gaps in legal scope and penalties.⁹⁹

⁸⁸ ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003), annexed to the Declaration on the Fight against Trafficking in Persons, 25th Ordinary Session of the Authority of Heads of State and Government (21 Dec. 2001); *Minimum Plano CEDEAO.pdf* for Plan, *Declarationr CEDEAO.pdf* for Declaration.

⁸⁹ YK Abdul and others, 'The Role of Judiciary in Trafficking in Persons and Smuggling of Migrant Cases (TIP/SOM CASES) (2023) (7)(1), *African Journal of Law and Human Rights* (AJLHR) 106-108.

⁹⁰ Convention A/P.1/7/92 Relating to Mutual Assistance in Criminal Matters, Economic Community of West African States (ECOWAS), 29 July 1992

⁹¹ The ECOWAS Convention on Extradition (A/P.1/8/94) was signed on 6 August 1994 in Abuja, Nigeria.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ National Agency for the Prohibition of Trafficking in Persons (NAPTIP), 'Nigeria and Cote d'Ivoire Signed Counter Trafficking Agreements as Fight against TIP Intensifies' <<https://naptip.gov.ng/nigeria-and-cote-divoire-signed-counter-trafficking-agreement-as-fight-against-tip-intensifies/>> accessed 16 September 2025.

⁹⁵ TIPPEAA 2015, s. 13.

⁹⁶ TIPPEAA 2015, ss. 1& 2.

⁹⁷ TIPPEAA 2015, ss. 13-35.

⁹⁸ OM Atoyebi, 'Trafficking and Victim Protection under Human Rights in Nigeria' <<https://omaplex.com.ng/trafficking-and-victim-protection-under-human-rights-in-nigeria/>> accessed 16 September 2025.

⁹⁹ MS Amune, 'Control and Regulation of Human Trafficking in Nigeria: A Legal Framework Analysis' (2025)(8)(1) *East African Journal of Law and Ethics* 27-40

5. Human Trafficking as a Social Justice Imperative

Human trafficking is increasingly seen as a deep social problem affecting communities worldwide.¹⁰⁰ While it was once viewed mainly as a crime needing a strict law enforcement approach, today it is recognised as a complex issue rooted in social justice and human rights.¹⁰¹ Human trafficking as a social justice issue can cover several critical issues involving the intersection of human trafficking with human rights, social inequalities, and systemic injustices. Other issues that will be discussed in this paper on understanding human trafficking as a social justice imperative include victim identification and protection, legal and justice system challenges, a need for comprehensive support, gender sensitivity and child protection, coordination and resources, and global and local contexts. Addressing it effectively requires a broad, multifaceted response that goes beyond just policing, involving social, economic, and protective measures to support those affected. This shift highlights the need to see human trafficking not only as a legal violation but as a profound social challenge that demands compassion and comprehensive action.¹⁰²

Human trafficking entails severe violations of basic human rights and human dignity through coercion, violence, deprivation, and exploitation, stripping victims of freedom and identity.¹⁰³ Human trafficking violates numerous internationally recognised human rights, including the right to liberty.¹⁰⁴ The liberty of victims of human trafficking, for instance, during recruitment through the duplicity of documents given to them for a desperate journey or false promises, violates an individual's right to liberty, which is guaranteed under the Constitution of the Federal Republic of Nigeria (CFRN)¹⁰⁵ and international Covenant on Civil and Political Rights (ICCPR).¹⁰⁶ Human trafficking also violates the dignity of the human person.¹⁰⁷ The freedom from slavery and forced labour, and the right to protection from torture or inhuman treatment are guaranteed under the Constitution.¹⁰⁸ The act of human trafficking itself, recruiting, transporting, harbouring persons by means of coercion, fraud, or deception for exploitation directly contravenes these rights as defined under instruments like the Palermo Protocol.¹⁰⁹ and human rights treaties.¹¹⁰ Victims lose their autonomy and freedom through physical and psychological coercion. This deprivation from freedom is not only physical restraint but also constitutes mental subjugation, often maintained through violence, threats, debt bondage, and manipulation.¹¹¹ The control exercised over victims strips them of personal agency, violates their dignity, and mirrors conditions akin to modern-day slavery.

¹⁰⁰ Pfeffer (n 8)

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

¹⁰³ TK Logan, 'Understanding Human Trafficking in United States Trauma, Violence and Abuse' (2009) (10)(1), 3-30.

¹⁰⁴ CFRN, s.35.

¹⁰⁵ CFRN, s35.

¹⁰⁶ ICCPR, art.9.

¹⁰⁷ CFRN, s 34.

¹⁰⁸ M Sutto, 'Human Trafficking and Violation of Human Rights' <<https://www.coespu.org/articles/human-trafficking-violation-human-rights>> accessed 24 September 2025.

¹⁰⁹ Palermo Protocol, Art.3.

¹¹⁰ United Nations Human Rights Office of the High Commissioner, 'About Trafficking in Persons and Human Rights' <https://www.ohchr.org/en/trafficking-in-persons/about-trafficking-persons-and-human-rights> accessed 25 September 2025.

¹¹¹ E Hopper, 'Invisible Chains: 'Psychological Coercion of Human Trafficking Victims' (2006) (1) *Intercultural Hum. Rts. L. Rev.* 185

Concerning vulnerability and social inequality, trafficking disproportionately affects those living in unsafe, insecure, and poverty-stricken conditions, including women, children, and marginalised groups. Poverty, unemployment, social and economic inequality, and conflict fuel trafficking.¹¹² For instance, women, girls, and children from Edo State are frequently trafficked to European countries, particularly Italy, for sexual exploitation. This trafficking is often fueled by poverty, unemployment, and broken family structures that leave women vulnerable to false promises of employment and better livelihoods abroad.¹¹³ Within Nigeria, women and children are trafficked from rural, impoverished communities to urban centres for forced labour, domestic servitude, prostitution, and street hawking. Many victims come from socio-economically disadvantaged backgrounds with limited education and family support.¹¹⁴

As regards victim identification and protection, effective anti-trafficking efforts require properly identifying victims, protecting their rights, and avoiding criminalising victims for acts committed under coercion or exploitation.¹¹⁵ This approach recognises that victims are often caught in circumstances beyond their control, and treating them as offenders exacerbates their trauma, hinders justice, and undermines rehabilitation.¹¹⁶ Identifying human trafficking victims accurately is foundational to delivering appropriate support and legal protections. In Nigeria, the government, in partnership with the International Organisation for Migration (IOM), has developed harmonised screening and trafficking identification tools to improve victim identification (NAPTIP initiative).¹¹⁷ These tools enable front-line agencies such as the police, immigration, and civil society to work together with a victim-centred approach to detect, screen, and refer individuals who may be victims of trafficking. Without proper identification, victims risk being treated as criminals or undocumented migrants, which subsequently denies them protection and justice.¹¹⁸

Regarding legal and justice system challenges, the major challenge in anti-trafficking efforts is the tendency to criminalise victims, particularly in cases where victims are coerced into illegal acts, such as prostitution or document forgery, under threat or exploitation.¹¹⁹ Effective frameworks emphasise non-punishment principles, recognising that acts committed under coercion should not lead to prosecution or further victimisation. Nigeria tries to address this by adopting victim-centred policies, although challenges remain in implementation due to limited awareness and capacity gaps among law enforcement.¹²⁰

The criminal justice response is often inadequate due to difficulties in distinguishing victims from offenders, low prosecution and conviction rates, and poor treatment of survivors by law

¹¹² Monaco (n 1).

¹¹³ EASO Nigeria Trafficking in Human Beings- Country of Origin Information Report 201 <https://euaa.europa.eu/sites/default/files/publications/2021_04_EASO_COI_Report_Nigeria_Trafficking_in_human_beings.pdf> accessed 23 September 2025.

¹¹⁴ United Nations-UNODC - Country Office Nigeria, Prevention of Human Trafficking in Nigeria <<https://www.unodc.org/conig/en/stories/prevention-of-human-trafficking.html>> accessed 24 September 2025.

¹¹⁵ R Lateef, 'Barriers to Justice: The Legal Response to Human Trafficking' <<https://theexodusroad.com/human-trafficking-legal-system/>> accessed 24 September, 2025.

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

¹¹⁸ Voice of Nigeria (VON), 'Nigerian Government Launches Tools to Identify Victims of Human Trafficking' <<https://von.gov.ng/nigerian-government-launches-tools-to-identify-victims-of-trafficking/>> accessed 24 September 2025.

¹¹⁹ *Ibid.*

¹²⁰ Voice of Nigeria (n 118).

enforcement and legal professionals.¹²¹ The criminal justice response to human trafficking in Nigeria faces significant challenges that reduce its effectiveness in tackling the crime and protecting survivors.¹²² These challenges primarily relate to difficulties in distinguishing victims from offenders, low prosecution and conviction rates, and the mistreatment of survivors by law enforcement and legal professionals.¹²³ Front-line law enforcement and judicial actors often lack the specialised training to identify victims of trafficking versus perpetrators, leading to wrongful arrests or prosecutions of survivors who may have committed offences under coercion or exploitation.¹²⁴ Victims of human trafficking frequently resist cooperating with investigations due to fear of retribution, cultural factors such as voodoo rituals used by traffickers to instil fear, language barriers, and lack of trust in authorities. This confusion obstructs victim-centred justice and impairs the effective prosecution of traffickers.¹²⁵ Although Nigeria's National Agency for the Prohibition of Trafficking in Persons (NAPTIP) has secured over 300 convictions, it faces numerous operational constraints that limit its success.¹²⁶ These include insufficient funding, limited human and technical resources for evidence gathering, slow judicial processes, lack of inter-agency coordination, and corruption within law enforcement and the judiciary. Victims' unwillingness or inability to testify because of trauma, threats, or cultural pressures worsens the challenge of prosecuting traffickers.¹²⁷

In relation to the need for comprehensive support, addressing trafficking requires long-term economic, social, and psychological support for survivors, including housing, education, and employment, going beyond merely removing victims from exploitation.¹²⁸ Survivors often return to communities marked by poverty and limited opportunities, which can lead to re-trafficking if economic vulnerabilities persist.¹²⁹ Vocational training, skills acquisition, and business start-up support are crucial for helping survivors achieve financial independence. For example, in Nigeria, the African Centre for Advocacy and Human Development provides vocational training and grants tools like sewing machines to survivors, enabling them to establish income-generating enterprises, as seen in the story of Grace, a survivor who transformed her life through such assistance.¹³⁰

As regards gender sensitivity and child protection are crucial components in addressing human trafficking as a social justice imperative. Gender plays a central role in the dynamics of human trafficking. Women and girls are disproportionately affected, often targeted for sexual exploitation, forced labour, and domestic servitude, while men and boys may also be trafficked for labour or military conscription. Gender-sensitive approaches go beyond simple victim identification to recognise underlying gender inequalities such as discrimination, gender-based violence, and socio-economic marginalisation, which are root causes of trafficking

¹²¹ Lateef (n 115).

¹²² OO Ogwezzy, 'Human Rights Implications for Victims of Human Trafficking and the Challenges Involved in Prosecution of Human Traffickers under the Criminal Justice System in Nigeria' (2022) (9)(2) *Journal of Public Law* 120-139.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ OO Ogwezzy, 'The Challenges in the Enforcement of Human Trafficking Laws in Nigeria' (2023)(3)(1) *Achievers University Law Journal (AULJ)* 154-157.

¹²⁷ *Ibid.*

¹²⁸ Monaco (n 1).

¹²⁹ UNODC, 'Victims Voices -Grace' <<https://www.unodc.org/endht/en/voices/grace.html>> accessed 25 September 2025

¹³⁰ *Ibid.*

vulnerability.¹³¹ Children who fall victim to trafficking require special legal and care frameworks that prioritise their best interests. International standards like the Palermo Protocol stress that prosecutorial definitions should exclude the need for evidence of coercion in cases involving children.¹³² The key departure for children in prosecutorial definitions is the exclusion of the requirement to prove coercion, deception, or force. This is because children, as persons under 18, are deemed incapable of giving informed consent in the context of trafficking.¹³³ The Protocol explicitly removes the need for proving the "means" elements (force, fraud, coercion) when the victim is a child. This recognises children's particular vulnerability and the necessity of a protective, rights-based approach that does not burden prosecutions with proving complicated coercion dynamics.¹³⁴

Coordination and resources are critical components in the fight against human trafficking. As a social justice imperative, it requires cooperative, multidisciplinary, and sustained action to address the complex and cross-cutting nature of trafficking crimes and victim needs. Human trafficking involves diverse actors, sectors, and jurisdictions requiring an integrated response. Coordination ensures that law enforcement, judicial systems, social services, healthcare providers, NGOs, and international agencies work collaboratively rather than in silos. This implies that different individual organisations and government agencies in Nigeria involved in combating human trafficking should cooperate and coordinate their efforts by sharing information and resources instead of working separately, isolated, and without communication.¹³⁵ For instance, in Nigeria, the National Agency for the Prohibition of Trafficking in Persons exemplifies collaboration by partnering with various government bodies, civil society organisations, foreign embassies, and international agencies like the UNODC.¹³⁶ For example, NAPTIP's embassy liaison initiative involves cooperation with 19 embassies and key Nigerian agencies such as the Nigerian Immigration Service, Department of State Services, and the Ministry of Foreign Affairs¹³⁷. This platform facilitates the exchange of intelligence, joint investigations, victim rescue, and prosecutions across borders, showing an effective collaborative response rather than isolated, siloed efforts.¹³⁸ Effective inter-agency coordination structures enable comprehensive anti-trafficking policies, harmonise victim assistance with criminal justice efforts, and enhance victim-centred approaches that uphold human dignity and rights. Such coordinated approaches prevent the marginalisation of victims and foster equitable access to protection and justice, which are

¹³¹ Organisation for Security and Co-operation in Europe-Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings, 'Applying Gender Sensitive Approaches in Combating Trafficking in Human <https://www.osce.org/files/f/documents/7/4/486700_1.pdf> accessed 25 September 2025.

¹³² Office of the High Commissioner for Human Rights' Recommended Principles and Guidelines on Human Rights and Human Trafficking<<https://www.ohchr.org/sites/default/files/Documents/Publications/Traffickingen.pdf>> accessed 25 September 2025.

¹³³ M Wijers, 'Analysis of the Definition of Trafficking in Human Beings in the Palermo Protocol' <<https://documentation.lastradainternational.org/lisdocs/354%20Analysis%20def%20Palermo%20protocol.pdf>> accessed 25 September 2025.

¹³⁴ *Ibid.*

¹³⁵ UNODC- 'Toolkit to Combat Trafficking in Persons,-Developing Inter-agency Coordination Mechanisms' <https://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_2-13.pdf> accessed 25 September 2025.

¹³⁶ National Centre for Missing and Exploited Children, 'Embassies /Regional Organisations and Development Partners'< https://naptip.gov.ng/wp-content/uploads/2023/08/Bios_of_Awardees_NAPTIP@20.pdf >accessed 25 September, 2025.

¹³⁷ *Ibid.*

¹³⁸ UNODC-Country Office Nigeria, UNODC and NAPTIP Strengthen International Cooperation to Combat Human Trafficking, <https://www.unodc.org/conig/en/stories/unodc-and-naptip-strengthens-international-cooperation-to-combat-human-trafficking.html> accessed 25 September, 2025.

central to social justice.¹³⁹ Financial, human, institutional, and technical are essential to operationalise coordination. Social justice demands that these resources are sufficient, sustainable, and allocated to victim-centred services addressing health, legal aid, psycho social support, and economic empowerment. Investments in specialised training for law enforcement, prosecutors, social workers, and healthcare providers improve victim response and prosecution effectiveness, especially for vulnerable groups such as women.¹⁴⁰

Human trafficking involves the coercion, deception, or forceful exploitation of individuals for labour, sexual exploitation, or other forms of enslavement. Globally, it is a grave violation of human rights that affects millions of people, stripping victims of dignity and fundamental freedoms. The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) highlights the need for a rights-based response that includes victim protection, prosecuting offenders, and addressing root causes like demand and vulnerability.¹⁴¹ Global reports emphasise that trafficking is sustained by economic disparities and the globalised demand for cheap labour and sexual services, often facilitated by migration and technological means. Effective anti-trafficking interventions thus demand integrated social justice frameworks that expand victims' capabilities and enforce human rights.¹⁴²

In Nigeria, human trafficking is a significant social and criminal issue exacerbated by population growth, economic hardship, illiteracy, unemployment, and poor living standards. Nigerian victims are trafficked for various exploitative purposes, including domestic servitude, forced labour, sexual exploitation, and organ harvesting.¹⁴³ The Nigerian government has responded by enacting legislation such as the Trafficking in Persons (Prohibition) Enforcement and Administration Act (TIPPEA) 2015 and establishing the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), aimed at prevention, rescue, and rehabilitation. Despite these efforts, challenges remain in fully addressing trafficking due to socio-cultural practices, conflation of trafficking with prostitution, and limited enforcement capacity.¹⁴⁴

6. Legal and Social Duties in Human Trafficking as a Social Justice Imperative

The Nigerian government, through the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), has a binding legal duty to identify victims correctly, provide immediate protection and comprehensive care, and avoid criminalising victims for acts they were forced into during trafficking under the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015. This includes medical, psychological, and legal assistance, as well as safe housing and privacy protection.¹⁴⁵ This binding state duty is a cornerstone of social justice in addressing human trafficking. It recognises victims as rights-holders deserving immediate and sustained protection and care, emphasising respect for their dignity, autonomy, and legal rights. The framework aims to transform victims from invisible, vulnerable persons into recognised survivors entitled to

¹³⁹ *Ibid.*

¹⁴⁰ Monaco (n 1).

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

¹⁴³ CJ Onyejekwe, 'Influences of Global Human Trafficking Issues in Nigeria: A Gender Perspective' (2005)(7)(2) *Journal of International Women's Studies*, 141-150.

¹⁴⁴ V.I. Nwogu, 'Anti -Trafficking Interventions in Nigeria and the Principal Agent- Aid Model' <<https://www.antitraffickingreview.org/index.php/atrjournal/article/view/64/62>> accessed 28 September 2025.

¹⁴⁵ United Nations Human Rights Office of the High Commissioner (n 6).

justice and restoration.¹⁴⁶ Misidentification of victims as criminals or irregular migrants leads to denial of rights and hinders access to support and justice, underscoring the importance of proper victim recognition protocol.¹⁴⁷ When victims are mistaken for offenders, they are often denied their fundamental rights to protection, care, and justice, which obstructs their access to vital support services and legal remedies.¹⁴⁸ This misclassification leads to victims being arrested, detained, prosecuted, or even deported, rather than receiving assistance and rehabilitation. Victims must have access to legal aid, be informed about legal proceedings, and be allowed to participate safely prosecute human traffickers effectively is essential to social justice, aiming to dismantle trafficking networks and prevent re-victimisation of the trafficked persons.¹⁴⁹ Prosecution of human traffickers is not just a legal formality but a social justice imperative that seeks to eradicate human trafficking, empower survivors, and uphold human dignity.¹⁵⁰ It is integral to breaking exploitation cycles and fostering accountable and equitable societies.¹⁵¹ Recognising human trafficking as a social justice issue means legal responsibilities must be complemented by social commitments to transform societal conditions that enable trafficking and support victims holistically.¹⁵²

Social responsibilities involve tackling poverty, gender inequality, discrimination, and social exclusion that increase vulnerability to trafficking. This requires community awareness, education, and systemic social reforms.¹⁵³ Tackling social determinants is a core social justice obligation to create structural conditions that prevent exploitation. Community-based education, public awareness campaigns, and broad systemic reforms collectively contribute to reducing vulnerability to human trafficking and promoting human dignity and rights.¹⁵⁴ Societal efforts must counter victim-blaming attitudes, provide shelters and rehabilitation services, and foster social environments that respect and uphold trafficked persons' rights.¹⁵⁵ Other legal enforcement agencies and social institutions need coordinated efforts led by specialised bodies or anti-trafficking coordinators with clear mandates and adequate resources.¹⁵⁶

¹⁴⁶ Office of Special Representative and Coordinator for Combatting Trafficking in human Beings, 'Putting Victims First -the Social Path of Identification and Assistance' <<https://www.osce.org/files/f/documents/9/c/538452.pdf>> accessed 2 October 2025.

¹⁴⁷ *Ibid*

¹⁴⁸ Nexus Institute, 'Challenges in identifying Victims of Trafficking Who are Encountered as Offenders' <<https://nexusinstitute.net/wp-content/uploads/2022/12/Thematic-dialogue-brief.-Challenges-in-identifying-VoTs-encountered-as-offenders.-Final-8.9.22.pdf>> accessed 2 October, 2025.

¹⁴⁹ Monaco (n 1).

¹⁵⁰ United Nations Human Rights Office of the High Commissioner (n 6).

¹⁵¹ *Ibid*.

¹⁵² *Ibid*.

¹⁵³ Press Books, 'Social Work, Social Justice, Human Rights and Human Trafficking' <<https://ohiostate.pressbooks.pub/humantrafficking/chapter/chapter-1-social-work-social-justice-human-rights-and-human-trafficking/>> accessed 30 September 2025.

¹⁵⁴ UZ Ezech and NC Oli, 'Social -Economic Determinants of Children's Vulnerability to Trafficking in Awka South Local Government Area, Anambra State , South - East, Nigeria' (2021) (11)(1) *Practicum Psychologia* , 16-32.

¹⁵⁵ Monaco (n 1).

¹⁵⁶ Monaco (n 1).

7. Restoring Autonomy and Guaranteeing Equitable Rights for Trafficking Survivors

This aspect addresses the critical need to return decision-making power, dignity, and control to individuals who have endured severe exploitation and human rights violations.¹⁵⁷ Autonomy restoration is foundational to survivors' healing and long-term recovery, as traffickers deprive victims of freedom and agency through coercion and manipulation.¹⁵⁸ Traffickers exert extreme control over victims, often using coercion, threats, violence, isolation, and manipulation so that victims lose their autonomy and become dependent on the traffickers. This deprivation of freedom and agency results in victims feeling powerless, trapped, and unable to act independently or escape their situation.¹⁵⁹ Guaranteeing equitable rights involves ensuring survivors have access to comprehensive legal protections, health care, psycho-social support, and socio-economic opportunities, enabling reintegration and preventing re-victimisation.¹⁶⁰ This framework recognises survivors not merely as victims, but as rights-bearing individuals entitled to justice, safety, and empowerment within a trauma-informed and social justice-driven approach.¹⁶¹

Restoring survivor autonomy goes beyond basic decision-making; it entails restoring dignity, agency, and control to survivors who were stripped of these by traffickers through coercion and exploitation.¹⁶² True healing requires systems and policies that actively empower survivors to make choices about their recovery and future rather than imposing decisions upon them. Programs must centre survivor voices to prevent re-traumatisation and enhance meaningful empowerment.¹⁶³ Trafficked persons must be legally recognised as victims entitled to full human rights, including access to health services, legal aid, compensation, and safe repatriation. Legal frameworks should harmonise immigration, labour, and criminal laws to ensure victims are not penalised for crimes committed under trafficking conditions.¹⁶⁴ Effective anti-trafficking laws serve both to deter traffickers and protect survivors' rights comprehensively.

Guaranteeing equitable rights means providing survivors with accessible and trauma-informed legal processes that allow them to seek justice and restitution without fear of stigmatisation or criminalisation.¹⁶⁵ Post-conviction relief for survivors wrongly convicted due to trafficking-related offences is a critical legal mechanism to restore their status and dignity.¹⁶⁶ The importance of post-conviction relief lies in its recognition that survivors should not be further victimised by the justice system for crimes they were forced to commit under duress.¹⁶⁷ It restores opportunities for reintegration, access to employment, housing, and social services that might otherwise be

¹⁵⁷ K Wells, 'Empowering a Survivor Autonomy: A Critical Step in Combatting Human Trafficking' <<https://www.safehouseproject.org/blog/empowering-survivor-autonomy-a-critical-step-in-combatting-human-trafficking/>> accessed 4 October, 2025.

¹⁵⁸ *Ibid.*

¹⁵⁹ Devatop Centre for Africa Development, 'Overview of Human Trafficking' <<https://www.devatop.org/human-trafficking/>> accessed 4 October 2025.

¹⁶⁰ Wells (n 137).

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

¹⁶⁴ United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), 'The Effectiveness of Legal frameworks and Anti-Trafficking' The Vienna Forum to fight Human Trafficking 13-15 February 2008, Austria Centre Vienna Background Paper.

¹⁶⁵ The Survivor Reentry Project, 'Post Conviction Advocacy for Survivors of Human Trafficking: A Guide for Attorneys' <https://freedomnetworkusa.org/app/uploads/2020/02/survivor-reentry-project-guide-for-attorneys.pdf> accessed 4 October 2025.

¹⁶⁶ *Ibid.*

¹⁶⁷ *Ibid.*

inaccessible due to criminal records. Moreover, it embodies a trauma-informed, survivor-centred approach, preventing re-traumatisation through legal processes and safeguarding survivors' privacy by allowing motions to be filed under seal.¹⁶⁸

8. Cross-Disciplinary Collaboration to Address Human Trafficking as a Social Justice Priority

Cross-disciplinary collaboration to address human trafficking as a social justice priority recognises that human trafficking is a complex and multifaceted issue that extends beyond criminal justice to include significant human rights, health, social, and economic dimensions.¹⁶⁹ Effective responses require coordinated efforts among diverse sectors such as law enforcement, legal practitioners, social services, healthcare, and community organisations to address the varied needs of survivors and dismantle the systemic inequalities that fuel trafficking.¹⁷⁰

The first cross-disciplinary approach to address human trafficking as a social justice issue is the need for coordinated efforts among Nigerian government agencies, law enforcement, civil society, and traditional and religious leaders to address trafficking networks and streamline identification, prosecution, and victim support.¹⁷¹ The Nigerian government, through its National Agency for the Prohibition of Trafficking in Persons (NAPTIP), leads a coordinated response framework involving various ministries, security agencies, and international partners. This is articulated in the National Action Plan on Human Trafficking (2022–2026), which provides a comprehensive blueprint for unifying efforts, mobilising resources, and setting benchmarks for action.

Law enforcement agencies should work closely with immigration, customs, and intelligence units to disrupt trafficking rings, following a strategy that integrates prevention, protection, prosecution, partnership, and policy enforcement.¹⁷² Civil society organisations (CSOs) and non-governmental organisations play vital roles in victim identification, support, and rehabilitation. Their engagement enhances outreach to vulnerable communities and strengthens advocacy for victims' rights.¹⁷³ The role of traditional and religious leaders are essential ally in prevention and awareness initiatives.¹⁷⁴ They help to shift cultural norms that may tacitly enable trafficking practices, promote community vigilance, and support the reintegration of survivors.

Cross-disciplinary efforts must prioritise trauma-informed care, psycho- social support, legal aid, and safe reintegration programs tailored to survivors' diverse needs, ensuring empowerment and

¹⁶⁸ *Ibid.*

¹⁶⁹ J Sambo and S Sibanda, 'Multi -Disciplinary Initiatives to Rendering Service to Women Survivors of Human Trafficking in South Africa (2025) (18)(1) *Journal of Social Service*.

¹⁷⁰ UNODC (n 115).

¹⁷¹ International Federation of Women Lawyers (FIDA), 'Day against Trafficking in Persons' <<https://fida.org.ng/day-against-trafficking-in-persons/>> accessed 5 October 2025.

¹⁷² National Agency for the Prohibition of Trafficking in Persons (NAPTIP), 'NAPTIP Sets up full Implementation of the National Plan on Human Trafficking (2022-2026) As it Presents documents to Heads of Relevant Organisations and Stakeholders' <<https://naptip.gov.ng/naptip-steps-up-full-implementation-of-the-national-action-plan-on-human-trafficking-2022-2026-as-it-presents-document-to-heads-of-relevant-organizations-and-stakeholders/>> accessed 6 October 2025.

¹⁷³ NAPTIP, 'Fight against Human Trafficking Receives Boost as Federal Executive Council Approves National Plan' <<https://naptip.gov.ng/fight-against-human-trafficking-receives-national-boost-as-federal-executive-council-fec-approves-national-action-plan/>> accessed 6 October 2025.

¹⁷⁴ NAPTIP (n 161).

dignity.¹⁷⁵ In Nigeria, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) offer counseling and rehabilitation services that include medical care, psychological support, and vocational training to help survivors reclaim their autonomy and rebuild self-esteem.¹⁷⁶

Another cross-disciplinary approach is to always discuss the root causes of human trafficking and how to combat poverty, lack of education, insecurity, corruption, and systemic inequalities that fuel trafficking in vulnerable Nigerian communities, especially rural areas.¹⁷⁷ To combat poverty, the government must invest in economic empowerment programs such as skill acquisition, microfinance, agricultural development, and employment creation targeted at vulnerable populations. For example, empowering women and youths economically reduces their vulnerability and reliance on risky migration.¹⁷⁸ Promoting free, inclusive, and quality education, including vocational training and life skills, equips individuals to resist trafficking inducements and pursue dignified employment. Campaigns to sensitise communities on the importance of education in preventing trafficking are similarly vital.¹⁷⁹ To combat insecurity and corruption, there is a need to strengthen security in rural areas, enhance border controls, improve judicial integrity, and ensure accountability of officials play critical roles. Implementing transparent anti-corruption measures and community policing initiatives can build trust and deter traffickers.¹⁸⁰ To combat systemic inequalities and gender discrimination, there is a need to empower women through legal reforms, social protection, education, and leadership opportunities to address these inequalities.¹⁸¹ Gender-sensitive policies and support systems reduce exploitative conditions and uplift marginalised groups.

There is a need for community prevention and awareness by promoting local language, public awareness campaigns, empowerment initiatives, and community watch groups involving religious leaders, transport workers, teachers, and security agencies to prevent trafficking and facilitate early victim identification.¹⁸² The government, through its agencies, should prioritise enforcement of anti-trafficking laws without delay, improve intelligence gathering, swift prosecution of traffickers, and reforms to strengthen the institutional capacity for comprehensive and victim-centred justice.¹⁸³

The multifaceted nature of human trafficking requires integrated efforts between government agencies, law enforcement, civil society, and traditional and religious leaders. Human trafficking through a social justice lens, combined with cross-sector collaboration, not only enhances

¹⁷⁵ Public Safety Canada, 'National Strategy to Combat Human Trafficking: 2023-2025 Report' <<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-strtg-cmbt-hmn-trffckng/2023-2025/index-en.aspx>> accessed 7 October 2025.

¹⁷⁶ TIPPEAA 2015, s. 64 (2).

¹⁷⁷ Girls Powered Initiative Nigeria (GPIN), 'Towards an Empowered Womanhood' <<https://www.gpinigeria.org/world-day-against-trafficking-in-persons-july-30-2025/>> accessed 9 October 2025.

¹⁷⁸ Anam and Okorn (n75).

¹⁷⁹ Osimen (n 43).

¹⁸⁰ Anam and Okorn (n 75).

¹⁸¹ MA Ejeh, 'The Interplay of Child Trafficking and Child Labour in Nigeria's Complex Economic War on the Child' <<https://nbaunitybar.org/2024/05/10/the-interplay-of-child-trafficking-and-child-labour-in-nigerias-complex-economic-war-on-the-child/>> accessed 7 October 2025.

¹⁸² GPIN (n 166).

¹⁸³ P. Agwu, 'Re-Envisioning Anti-human Trafficking Response in Nigeria Through an Anti-corruption Lens. Journal of Human Trafficking, 1–15.

enforcement and victim support but also addresses the root causes and societal inequalities fueling exploitation.

9. Conclusion

Understanding human trafficking as a social justice imperative means looking beyond the crime itself and seeing the deeper harm it causes to people's lives and dignity. It involves recognising that trafficking is not just about illegal acts but about real individuals whose rights are violated due to inequalities and discrimination built into society. This understanding pushes us to do more than just punish traffickers; it calls us to change the social, economic, and political conditions that leave people vulnerable to being exploited. It asks for a complete approach that combines prevention, protection, prosecution, and partnership. At its heart, this means caring for survivors in ways that respect their experiences and help them heal, while also engaging communities to build stronger, safer environments. Survivors need support that lasts beyond rescue programs that help them break free from cycles of poverty and isolation and regain control over their lives. It also means pushing for laws and policies that protect victims' rights and ensure justice is fair and accessible to all. Ultimately, viewing human trafficking through a social justice lens reminds us that fighting this crime is not just about law enforcement; it's about restoring dignity, fairness, and opportunity to those who have been harmed, and working toward a society where exploitation has no place.