

## **An Appraisal of the Impact of the National Agency for the Prohibition of Traffic in Persons (NAPTIP) and the Role of Strategic Spiritual Intelligence (SSI)**

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**Abstract:** Human trafficking in Nigeria has metamorphosed into an exceptionally alarming insecurity issue. It is contemporary day slavery which could be internal or cross-border. The use of Strategic Spiritual Intelligence, Counter - Strategic Spiritual Intelligence and Counter - counter Strategic Spiritual Intelligence by the perpetrators and their kingpins on their victims is worrisome. This paper appraises National Agency for the Prohibition of Traffic in Persons (NAPTIP) and the impact of Strategic Spiritual Intelligence (SSI) on its efficacy in the fight against human trafficking. The objective of this work is to appraise NAPTIP and examine the concept of SSI in relation to its security operations. This work is descriptive and concerned mostly with empirical sources. The data used was derived qualitatively from both secondary and primary sources (observation) and other relevant sources of information. It concludes that if purposeful endeavors are not made to manage the actors and dismantle the market, its profitability will encourage current actors and even encourage new participants into the booming trade – presently and later on. Discoveries from this study showed that the underlying causes of human trafficking and the vulnerability of rural communities to trafficking are owing to acute poverty, unemployment, ignorance and ineffectiveness of the legal framework for tackling trafficking in Nigeria while the use of superb Strategic Spiritual Intelligence should be employed and converted to empirical intelligence for NAPTIP operatives to enhance efficiency. This paper also suggests that policy and programmes should be properly put in place to address poverty, unemployment and illiteracy in Nigeria.

**Keywords:** Human trafficking, Strategic Spiritual Intelligence, Poverty and NAPTIP

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### **I. INTRODUCTION**

Third World Countries generally are battling with myriads of security challenges. Nigeria nation-state is not exempted from these ordeals (Eteng, 2016). Human trafficking is a serious crime and a global phenomenon involving millions of victims of at least 136 different nationalities from around 118 countries worldwide (UNODC, 2012). Trafficked persons are exploited in different economic sectors and for various purposes. In Nigeria, victims are usually trafficked for the purposes of prostitution, begging, domestic servitude and other types of underpaid and exploited forced labour (UNODC, 2012).

Police, customs, immigration, and National Agency for the Prohibition of Traffic in Persons (NAPTIP) officials efficiently utilized systems to distinguish unfortunate casualties among high-hazard people, such as young women or girls traveling with non-family members. Information given by NAPTIP reflected a total of 1,109 victims identified and provided assistance at one of NAPTIP's eight shelters throughout the country during the reporting period; 624 were cases of trafficking for commercial sexual exploitation and 328 for labor exploitation. Various government agencies referred trafficking victims to NAPTIP for sheltering and other protective services: immigration referred 465; police referred 277; Social Services referred 192; and the State Security Service referred nine (Trafficking in Persons Report Country Narrative, 2018)

On the 14th of July 2003 the NAPTIP was created by the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2003. The Agency is the Federal Government of Nigeria's response to addressing the scourge of trafficking in persons. It is a fulfillment of the country's international obligation under the Trafficking in Persons Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Transnational Organized Crime Convention (UNTOC).

Nigeria became a signatory to the Transnational Organized Crime Convention and its Trafficking in Persons Protocol on 13th December, 2000. Article 5 of the Trafficking Protocol enjoins States Parties to criminalize practices and conduct that subject human beings to all forms of exploitation which includes in the minimum sexual and labour exploitation. The Trafficking in Persons Act 2003 was an outcome of a private member bill sponsored at the National Assembly by the Women Trafficking and Child Labour Eradication Foundation (WOTCLEF), a non-governmental organization founded by Mrs. Amina Titi Atiku Abubakar, the wife of the Vice-President of Nigeria at that time.

The Bill was passed by the National Assembly on 7th July, 2003 and Presidential Assent given on 14th of July 2003. The law which is operational throughout the country created NAPTIP as a specific multi-disciplinary crime-fighting Agency and the nation's focal institution to fight the scourge of trafficking in persons in the country using the four pronged approach of Prevention, Protection, Prosecution and Partnership.

The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 went through an amendment in 2005 in a bid to further strengthen the Agency. However, in 2015, as a result of the new trends in the crime of trafficking in persons and the need to further strengthen the institutional framework, the Act was repealed and the Trafficking in Persons (Prohibition), Enforcement and Administration Act, 2015 was enacted. The new Act received Presidential assent on 26th March 2015.

The concept of SSI can be described as offshoot of Western believe and African science. There exist little or no agreement between scholars and security experts neither consensus on what Strategic Spiritual Intelligence is all about. It involves spirituality which may be attached to religion. This could be traced to the follower of numerous religions all over the world which may include Christian, Islamic, Pagan, Jewish, Wiccan and others. For the purpose of this work, Nwolise's perception would be a major point of reference.

Therefore, the purpose of this paper is to start an academic conversation on the organizations, monitoring the obedience and adherence to the Act against human trafficking and to what extent can we say that NAPTIP has fulfilled its mission in order to raise awareness of this problem among security experts. What is the place of SSI in the activities of NAPTIP operatives? Is it not that criminal utilizes SSI to enhance their illegal operations? These are pertinent questions this paper tends to answer.

## **Conceptual Issues**

### **Human Trafficking**

According to the Migration Policy Institute, human trafficking is one of the fastest growing transnational criminal activities, and is thought to be the most lucrative form of organized crime after drug trade. Human trafficking was first defined in 2000 by the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (Palermo Protocol). The definition of human trafficking comprises three constituent elements: the acts, the means, and the purpose. The acts include "recruitment, transportation, transfer, harboring or receipt of persons. Any of these criminal acts must be committed by one of the following means to constitute human trafficking: "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. The purpose of such acts must be exploitation which includes "at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs"(Huntley, 2013).

The definition of trafficking in Article 3a of the Anti-Trafficking Protocol defines the problem in such a way that recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, or fraud, of deception, of the abuse of power or 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, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

This broad definition of trafficking includes sex trafficking as well as trafficking into exploitative work situations such as domestic help, agricultural work, and work in dangerous industries. It also includes the trafficking of child soldiers, of children put up for adoption or forced into begging, and the less well-known and analyzed problem of organ trafficking. Most of these types of trafficking are present in Europe, though there is no evidence of child soldiers since the wars in the Balkans.

### **Strategic Spiritual Intelligence (SSI)**

There have been series of debate over decades on what spiritual intelligence is all about. From independence till today, intelligence and Security Agencies in Nigeria operate on regular intelligence, which is also known as Strategic Empirical Intelligence (SEI). SEI is human and technological oriented and they manifested in: Human Intelligence (HUMINT), which is espionage by professional intelligence agents; Signal Intelligence (SIGINT) that involves the intersection of signals; Electronic Intelligence (ELINT); Measurement and Signature Intelligence (MASINT) obtained from technical sensors; Radar Intelligence (RADINT); Infra-red Intelligence (IRINT); Nuclear Intelligence (NUCINT); Foreign Instrumentation Signal Intelligence (FISINT); Imagery Intelligence (IMINT) which could be gotten from the analysis of images; and Open Source Intelligence (OSINT) which could emanate from public sphere (Afolabi, 2018).

The irregular and spiritual aspect of Intelligence is coined Strategic Spiritual Intelligence covers spirituality, supernatural powers, witchcraft, babalawoism, iya osuncraft, magic and others; and because it is not in all situations that Strategic Empirical Intelligence works, it is important that the governmental organizations and its defence and security agents either upgrade or remain incapable of being at par with or ahead of the irregular actors. According to the Father of SSI, Prof Nwolise, "Strategic Spiritual Intelligence is secret information obtained advantageously as foreknowledge, from divine sources and other credible spiritual entities for the purpose of achieving the security, peace, development, welfare and happiness of peoples and nations" (Nwolise, 2014:39). From the foregoing, Strategic Spiritual Intelligence is not empirical intelligence, spatial intelligence, animal intelligence, kinetic intelligence, remote sensing intelligence and so on. The major sources of SSI are God, Angels, prophets, pastors with prophetic anointing, imams, Alfas, Rabbis, local deities, priests of local deities, ancestors, spirits of the dead, and personal dreams.

### **Anti-Human Trafficking Organizations in Nigeria**

- i. Devatop Centre for Africa Development (DCAD), a nonprofit organization with focus on combating human trafficking, gender-based violence, child abuse; and providing educational supports to vulnerable children. It is a youth-led organization that has been at the forefront of combating human trafficking and other related matters. The organization has been engaging young people in building a nation without human trafficking.
- ii. Women Trafficking and Child Labour Eradication Foundation (WOTCLEF), is a nonprofit organization that has taken strong stand against women trafficking and child labour. WOTCLEF advocated for the establishment of National Agency for the Prohibition of Traffic in Persons (NAPTIP).
- iii. Pathfinders Justice Initiative, Inc. is a leading anti-trafficking NGO which seeks to eradicate sex trafficking and the sexual exploitation of women and girls in Nigeria. It was founded by R. Evon Benson-Idahosa, Esq., a leading expert on sex trafficking and a consultant to the UK Home Office (via CPA UK), the UN Rapporteur on Human Trafficking, the Office of the Senate President of Nigeria and the House of Representatives ([www.pathfindersji.org](http://www.pathfindersji.org)).
- iv. Women's Consortium of Nigeria and Coalition Against Human Trafficking and Sexual Exploitation of Children
- vi. Viable Knowledge Masters (VKM), is a research and consulting firm that has worked extensively on baby factories and the trafficking in infants and young women taking place in these places. VKM's works on baby factories are published in reputable peer-reviewed journals.
- vii. Edo State Taskforce Against Human Trafficking (ETAHT): Set up on the 15th of August 2017, by the Edo State Governor, Mr Godwin Obaseki as a response to the high rate of Human Trafficking and irregular migration in the State. ETAHT was primarily set up to totally eradicate the scourge of human trafficking in the State. It is currently chaired by Prof. Yinka Omorogbe. The Attorney General of the State and comm. of Justice (IT Global, 2015).

### **The Functions of National Agency for the Prohibition of Traffic in Persons (NAPTIP)**

Some of the Agency's functions are to;

- i. to enforce and administer the provision of TIPPEA Act;
- ii. adopt effective measures for the prevention and eradication of trafficking in person and related offences;
- iii. investigate all cases of trafficking in persons including forced labour, child labour, forced prostitution, exploitative labour and other forms of exploitation, slavery and slavery-like activities;
- iv. enhance the effectiveness of Law Enforcement agents and other partners in the suppression of trafficking in persons;
- v. conduct research and strengthen effective legal means of international cooperation in suppressing trafficking in persons
- vi. create public enlightenment and awareness through seminars, workshops, publications, radio and television programmes and other means aimed at educating the public on the dangers of trafficking in persons;

- vii. strengthen co-operation and conduct joint operations with relevant Law Enforcement and Security Agencies, International Authorities and other related partners in the eradication of Trafficking in persons;
- viii. adopt measures to identify, trace, freeze, confiscate or seize proceeds, properties, funds or other assets derived from trafficking in persons or related offences;
- ix. deals with matters connected with extradition and deportation of persons involved in trafficking in persons and other mutual legal assistance between Nigeria and any other country in Trafficking in persons, subject to the supervision of the Minister;
- x. initiate, develop and improve special training programmes for personnel of the Agency and relevant Law Enforcement Agents charged with the responsibility of detecting offences created under TIPPEA Act...(Trafficking in Persons Prohibition Enforcement and Administration Act [TIPPEA Act] 2015)..

#### **Powers of National Agency for the Prohibition of Traffic in Persons (NAPTIP)**

The Agency has the power to investigate whether any person, body or entity has committed an offence under its Act or the offence of trafficking under any other law. It can also enter into any premises, property or conveyance for the purpose of conducting searches in furtherance of its functions under its Act or under any other law. Arresting, detaining and prosecuting any offender under this Act or any other law on trafficking in persons in Nigeria is within the power of NAPTIP. It has the power to trace, seize, detain or retain the custody, for the purpose of investigation and prosecution, of any property which the Agency reasonably believes to have been involved in or used in the commission of offences under this Act or any other law. It can also seal up premises upon reasonable suspicion of such premises being involved with or used in connection with offences under this Act. Also, NAPTIP has the power to seek and receive information from any person, authority, corporation or company without hindrance in respect of the enforcement of any of the provisions of the TIPPEA Act.

#### **Causes of Human Trafficking in Nigeria**

Among the root causes of human trafficking in Nigeria are; poverty and high unemployment rates particularly in rural areas, low levels of education and literacy, corruption, and lack of information on human trafficking. For example, the majority of the Nigerian population lives below the income poverty line on less than one (1) dollar per day. Poverty levels are higher in rural areas, making people from these areas more vulnerable to human trafficking. Traffickers may be more successful in “recruiting” such victims, inciting them with false promises of jobs or money in exchange. The lack of education and low levels of literacy also contribute to the poverty problem, since they limit women’s and children’s opportunities to get better rewarded jobs in the future. ILO report showed that the desire of Nigerian potential victims to migrate is exploited by offenders to recruit and gain initial control or cooperation, only to be replaced by more coercive measures once the victims have been moved to another State or region of the country, which may not always be the one to which they had intended to migrate (Adepelumi, 2015). Traffickers entice their victims with promises of receiving education and acquisition of skills.

Corruption is another major problem in Nigeria, particularly among police and judges. Both can be easily bribed to reach favourable outcomes for alleged traffickers. Corruption of law enforcement and judges makes the arrest and prosecution of traffickers inefficient and contributes to high profit and low risk of the human trafficking “business” in Nigeria. A lack of information and awareness about human trafficking also make people especially women and children more susceptible to this phenomenon. Many people in Nigeria do not have a clear understanding of what constitutes human trafficking. When approached by traffickers, victims may not anticipate either their future exploitation or lack of freedom and extreme living conditions. As a result, they become easier targets for deception by traffickers.

Furthermore, due to lack of awareness of human trafficking, people do not recognise it and cannot report it promptly to the law enforcement. Even legal professionals in Nigeria do not fully understand this phenomenon, making prosecution of traffickers even more challenging. There are also particular factors that may contribute to exploitation of women and children in “baby factories,” such as gender discrimination and social stigmas in Nigerian society. For example, traditional Nigerian society considers girls to be inferior to boys and tolerates violence against women. Parents regard girls as a poor investment and are unwilling to send them to schools, finding them more suitable for domestic work. This in turn limits girls’ future opportunities to find a well-paid job and provide for themselves and ensures a steady supply of women and teenage girls for traffickers, including those operating “baby factories.” Social stigmas that contribute to the existence of “baby factories” in Nigeria are those against teenage pregnancies, pregnancies out of wedlock, couples’ infertility and legal adoptions. The first two help ensure that there is an abundant supply of women, teenage girls, and their new-borns at such “baby factories.” The last two help to promote demand for such babies, since “adoptive” parents pass off these babies for their biological infants to avoid cultural and societal disapproval. World Bank report showed that more than 1.5 billion people live in countries affected by violent conflict (Huntley, 2013).

Conflict is a push factor for trafficking, migration and poverty. In Nigeria prone conflict zone, Boko Haram trafficked children and use them as soldiers and militias. They kidnapped young girls, sell them into slavery and forcefully married them (Adepelumi, 2015).

### **NAPTIP Activities and Programmes**

In addition to ratifying the authoritative international and regional treaties related to human trafficking, adopting anti-trafficking legislation, and establishing the National Agency for the Prohibition of Traffic in Persons (NAPTIP) Agency, Nigerian authorities have conducted numerous nationwide public awareness campaigns to educate citizens and law enforcement about the phenomenon of human trafficking, to warn parents about new trends in human trafficking and new schemes used by traffickers to “recruit” their victims, and to inspire communities to participate in the prevention of human trafficking. A campaign titled “I am Priceless” was launched in October 2012 jointly with UNODC and the European Union. It is a nationwide three-year anti-trafficking initiative that will include meetings with citizens at town halls and schools, grass-root awareness activities, dissemination of advocacy materials, and media appearances and advocacy visits by the Goodwill Ambassadors to state governors and traditional rulers.

More so, NAPTIP elaborated a strategic plan on the coordination of anti-trafficking efforts for 2012-2017 and started its implementation by organising workshops with stakeholders. The U.S. Department of State characterised Nigeria’s effort to prevent human trafficking through these campaigns as modest, and, according to some legal and policy professionals, these anti-trafficking programs have even failed. There may be several reasons for this failure. First, is the poor funding of these campaigns by the Nigerian Government and international donor agencies or misuse of such funds by government officials and NGOs. Second, these campaigns target mostly citizen in urban and developed centres, rather than remote rural areas, where the majority of trafficking victims are recruited.

Nigerian anti-trafficking programs fail to address the correlation between poverty, low levels of education, illiteracy and human trafficking. Since 1999 the Nigerian Government has implemented programs to alleviate poverty as a major cause of human trafficking, such as the National Poverty Eradication Program and the National Economic Empowerment Development Strategy. However, they did not significantly affect women and children, probably since women are usually not involved in the implementation of these programs. In 2003, Nigeria adopted the Universal Basic Education (UBE) Program providing greater access to basic education in Nigeria (up to the junior secondary level). This education is free and compulsory. Parents whose children are found on the streets and do not attend classes may be subject to imprisonment. However, to date hundreds of young children are seen on the streets of Nigeria during school hours, making them potential targets for traffickers, with no parent having been arrested or prosecuted for it as of yet. Besides this, the UBE program has other challenges, such as inadequate funding, lack of competent teachers, and poor motivation of teachers.

### **The Place of Strategic Spiritual Intelligence (SSI) in Human Trafficking**

It is not news that kidnappers, terrorists, insurgents, militants, cultists, armed robbers, yahoo-plus elements, and even rapists and ritualists have gone “nuclear” in the deployment of spiritual means and methods in the pursuit of their respective illegal, inhuman, and at times criminal ends. Recent is the stealing and forceful collection of ladies and women underwear’s which is also a negative trend of SSI.

It has been observed in recent times that as a result of poverty, unemployment, search for greener pastures and negative influence of SSI, many youth and individuals have fall victims of human traffickers. Findings reveal that victims are usually been taken to Shrine or diviners to take different forms of oath, covenant or eat or swallow concoctions. This makes their victims unrepentant obedient to the terms of agreement.

NAPTIP rescue operations have not been recording maximum success because most victims find it difficult to name their kingpins and their patron thereby preventing arrest, investigation and prosecution. It could also be observed that inability to break and destroy the existing oath and covenant could upturn the life of the victims if they expose or confess the forbidden deal. Victims may run mad, loose consciousness and often cross the styz on the long run. This could also be attached to the increase in the numbers of lunatics and mad persons in Nigeria.

Since Strategic Intelligence is needed for NAPTIP operations, SSI can equally serves three main purposes: security, decision and policy. What is required is the conversion of SSI to SEI. The peculiar qualities of SSI vis-à-vis Strategic Empirical Intelligence (SEI) according to Nwolise are that:

- i. It is humane- no need to torture anybody (suspects, prisoners of war, etc), break bones, mangle flesh or kill in the bid to extract information.
- ii. It is speedy and more reliable than Strategic Empirical Intelligence
- iii. It is not costly and does not require overbearing technological gadgets.
- iv. The minimum SSI will give are immediate insight to carry out rigorous investigations, and it can provide information to the highest level require i.e. prosecution and conviction in the case involving heinous crimes.

- v. It handles mysterious events conveniently and triumphantly (Nwolise, 2019).

### **NAPTIP Measures, Achievements and Challenges**

There is no single way to stop the growth of human trafficking, but there are several ways to discourage it such as addressing the demand, targeting the consumers and businesses, addressing policy discrepancies, decreasing profits and improving labor laws to protect individuals from forced labour.

NAPTIP's Public Enlightenment Unit works in rural Benue, Kogi, and Edo States. It introduced grassroots programs and held its first annual race against human trafficking in Edo State with 5,000 runners in 2009. The Public Enlightenment Unit of the Agency has partnered with Devatop Centre for Africa Development to educate over 5000 women, teenagers, educators and youth on how to prevent human trafficking. In 2015, they supported Devatop Centre for Africa Development to implement a pilot project: "The Academy for Prevention of Human Trafficking and Other Related Matters (TAPHOM)", (Human trafficking in Nigeria, 2019). The project was initiated to raise anti-human trafficking advocates who will be actively involved in combating human trafficking in their various communities and states. About 120 women, youth, educators, law enforcement, legal practitioners, media professionals, health caregivers, and community volunteers from 6 states were trained from July 2015 to May 2016. The participants have been actively involved in preventing human trafficking. The next phase is to establish The Academy for Prevention of Human Trafficking which will focus on training, research, advocacy, counseling and publications ("Human trafficking in Nigeria", 2019).

On the national level, it convened the 2009 Model UN Conference for secondary students with a theme of combating human trafficking. Furthermore, a nine-state tour was launched to establish state working groups against human trafficking. In August 2009, the Agency for the Prohibition held a stakeholders' workshop in Kaduna to set program priorities and cost estimates for implementing the National Plan of Action. Nigerian troops undergo mandatory human rights and human trafficking training in preparation for peacekeeping duties abroad. Generally, it is worthy of note to recalled that NAPTIP in the recent years, has convicted over 323 human traffickers while over 133 are on trial in different courts nationwide. Also, over 10,000 victims of Human Trafficking have been rescued and rehabilitated. The Agency is equally enforcing the Violence against Persons (Prohibition) Act 2015 [VAPP Act] (Okah- Donli, 2017).

Hence, the agency is confronting with number of challenges which may include inadequate funding, inter-agency rivalry, border porosity, bureaucratic nature of Criminal Justice Administration, effect of SSI over the victims, insufficient date and other social economic issues. One could adjudge that NAPTIP has positively impacted on the fight against human trafficking in Nigeria but there is need to address aforementioned challenges and take SSI serious in its operations.

## **II. CONCLUSION**

In conclusion, it is clear that this country needs to adopt measures that would provide a reasonable degree of protection from human trafficking. The measure so adopted must discourage human traffickers, such as stricter laws to monitor and protect the rights of citizens.

Human trafficking is a profitable illegal "business" in Nigeria. Being widespread and allegedly operated by organized criminal syndicates, this phenomenon poses a great challenge for the Nigerian Government to eradicate it. Though Nigeria has already undertaken several legislative and other measures to address human trafficking problem within its borders, some of them had been introduced prior to the emergence of some forms of human trafficking. The search and the need for superior strategic spiritual Intelligence will enhance performance of this agency. Therefore, it is unlikely that NAPTIP will be effective in the fight against all forms of human trafficking without SSI. In this respect, the following steps may be recommended in order to make the human trafficking "industry" less attractive. Government should:

- i. ensure that NAPTIP receives sufficient funding for its anti-trafficking awareness campaigns and that the issue of the different forms of trafficking is included into their agenda.
- ii. NAPTIP should encourage its personnel to develop superb SSI programmes that could be transformed to SEI for efficient operations.
- iii. ratify Hague Convention No.33 on Protection of Children and Cooperation in Respect of Inter-country Adoption (1993) as this may help to establish transparent mechanisms for adoptions, as well as improve policies and legislation in this field.
- iv. address the different forms of human trafficking such as the "baby factory" issue in anti-trafficking legislation, clarifying which agency has jurisdiction to investigate such matters and differentiate child trafficking from human trafficking of adults similarly to the Palermo Protocol in order to facilitate the investigation of such cases and prosecution of traffickers.
- v. re-examine programmes addressing poverty and illiteracy in Nigeria in order to identify their main challenges in fighting these major causes of human trafficking and to adjust these programs accordingly.

- vi. NGOs and International Organizations are further encouraged to conduct more detailed research related to the human trafficking and its different forms for its better understanding and finding effective solutions to combat it. The findings of such research could be useful not only to Nigeria, but also to countries confronting similar security threat.

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