

Review Article

Border Porosity as Catalyst for Cross-border Crimes in Nigeria: A Focus on Trafficking in Persons and Migrant Smuggling

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Abstract

Human trafficking and migrant smuggling constitute a major challenge to the global community. These twin-crimes remain a very serious security threat and are among the major causes of different international organized crimes the world over. As organized crimes, they have killed and destroyed many people, making nations of the world to enact laws prohibiting them. These crimes continue to grow by leaps and bounds because they are very lucrative and the chances of the criminals being arrested and prosecuted are minimal, despite being deadly. In Nigeria, which is a source, transit and destination country combined, these crimes are prevalent as victims are used as prostitutes, drug traffickers, terrorists, child soldiers/laborers and bandits within and outside the country. It is pertinent to note that the traffickers take advantage of Nigeria's porous borders, population boom and unfavorable economic conditions that aggravate unemployment, underemployment, poverty and insecurity to seek for better opportunities in other countries. However, documentary research was used to gather data from books, electronic journals and institutional reports. Theoretically, failed state theory was adopted to analyze human trafficking and migrant smuggling in Nigeria. The study maintained that the Nigerian state is not free from culpability as it has failed to empower its people by providing basic infrastructure needed to liberate the people from poverty to prosperity despite the return of democracy since 1999, as the elites have continued to squander collective patrimony leaving the country dry. Hence, the only opportunity for the youths is to escape to Europe and America at all cost even without the necessary authorization. The study concluded that human trafficking and migrant smuggling can be reduced in Nigeria if the government rises up to the occasion by investing massively in education and infrastructure which are fundamental for empowerment. Also, the government must create enabling environment for business to thrive, by investing in security of lives and property which remain the bane of development in Nigeria. Again, the government, CSOs and NGOs must intensify campaigns against these crimes by informing the youths on the antics of the criminals and the dangers associated with human trafficking and migrant smuggling. Above all, leadership must be responsible and deliberate, in creating an egalitarian society where social safety nets are provided for the unemployed to earn a living and contribute back to the society.

Keywords

Human Trafficking, Migrant Smuggling, Porous Borders, International Organized Crimes, Exploitation, Nigeria, State Failure

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1. Introduction

Throughout the world, nation-states who desire peace, stability and progress make conscious and deliberate efforts to secure their borders. Border security is seen as the first line of defence in the internal security of all nations. This is fundamental because a secured border is sine qua non to development and the general well-being of the citizens, as the citizens would engage in socio-economic activities without let or hindrance. To this end, serious nations invest massively on border security, as doing otherwise is tantamount to disaster. This is true because any nation that fails to secure its borders stands the risk of major security threats both from within and without its borders. Little wonder why developed nations, leave no stone unturned in securing their borders with sophisticated technologies because of the nexus between border security, national stability and overall development.

However, border porousness and its attendant negative impacts on nation's security and territorial integrity is increasingly becoming a serious concern for third world countries, especially third world countries of Africa. These countries continue to face development crisis and instability as a result of the porous borders [1]. Experts attributed the porosity of these borders to the way and manner the continent was divided and parceled out by the European colonizers in the wake of the Berlin Conference of 1884, when the various European powers balkanized the continent in such a way that people who hitherto, shared common history and ancestry found themselves separated by the colonialists, making them foreigners in their neighboring territories [2, 3]. This has serious security implications as people move freely from one country to the other without the necessary checks and security clearance as in most cases, they speak the same language, have the same culture and share common heritage. Buffer zones are non-existing, and no country can effect arrest across the borders without the necessary diplomatic engagement in line with the principle of inviolability of territorial integrity.

In Nigeria, one of the major causes of contemporary insecurity bedeviling the country is the porosity of her borders, which has been at the roots of all manner of criminality ranging from insurgency, terrorism, banditry, ethnic and religious violence which are all linked to the proliferation of small arms and light weapons in the country. There is no gain saying that, these weapons find their way into the country due to Nigeria's porous borders and the inability of the law enforcement agencies saddled with the responsibilities of securing the borders to rise up to the occasion. It is truism that these weapons end up in the hands of non-state actors and other criminals who use them to unleash terror in the society with all the attendant consequences [4].

Former Comptroller General of Nigeria Immigration Service (NIS) revealed that Nigeria's porous borders are infamous. He posited that there are over 1,400 illegal routes into

Nigeria - 1,316 more than the approved number of border control posts. The 84 approved border control covers 4,047km, the total length of Nigeria's land borders. Ogun and Adamawa states for example, have 83 and 80 illegal post respectively. Outside of China, Russia, Brazil and the European Union, African countries have most numbers of unique borders and neighbors. For instance, 18 of the top 46 countries with long borders are in Africa. Nigeria is ranked 18 on the list. In other words, Nigeria with fewer neighbors and shorter land borders should be safer than say Mauritania, Angola or South Africa. It is not. Only four countries namely: Democratic Republic of Congo, Central Africa Republic, Chad and Libya with longer land borders and more neighbors than Nigeria are worse [5]. This remains the bane of national security in Nigeria. It was revealed that in terms of rule of law, personal safety and national security, Africa's largest economy scored poorly.

Nigeria as a nation-state in the continent has been exacerbated by porous borders with Cameroon (1,690 kilometers) in the east, Niger Republic (1,497 kilometers) in the north, Benin (773 kilometers) in the west, and Chad (87 kilometers) in the northeast. Most of these border areas are either mountainous or in the jungle. Irrespective of their geographic nature, a common feature of the nation's borders is its porosity [1].

Beyond the problems of banditry, kidnapping, terrorism which Nigeria's porous borders have engendered and exacerbated over the years, are the twin-cross border crimes of trafficking in persons and migrant smuggling which are expanding by the day, as the perpetrators are having a filled day, while the victims languish in penury, misery and frustration in the face of poor law enforcement by the security agencies of the Nigerian state. The 2024 trafficking in persons report in Nigeria stated that 698 cases were investigated, including 333 sex trafficking cases, 172 labour trafficking cases, and 193 cases of unspecified forms of trafficking. This was a significant decrease compared with initiating investigations of 1,242 cases during the previous reporting period. The government initiated prosecutions of 48 alleged traffickers, including 45 for sex trafficking, and three for labour trafficking, and convicted 24 sex traffickers. This compared with initiating prosecutions of 67 alleged traffickers and convicting 97 traffickers in the previous reporting period [6]. However, with regards to migrant smuggling, exact numbers of victims are scarce due to the clandestine and surreptitious nature of the crime. Nevertheless, Nigeria is a major source country for smuggled migrants, with large percentage of Nigerian migrants using smugglers for journeys to Europe, particularly, the Central Mediterranean route to Italy through Libya or Tunisia as study indicates that a significant portion up to 88% of Nigerian migrants use smugglers, with many paying substantial fees and facing high risks of exploitation and violence in the course of their perilous journey [7].

Therefore, this paper sets out to establish the nexus between Nigeria's porous borders, trafficking in persons and migrant smuggling with their implications on national security, stability and nation-building. Effort was made to establish the connection between these twin-cross border crimes and globalization, alongside Nigerian state failure.

2. Objectives of the Study

To understand the interface between porous borders and cross-border crimes, with specific reference to trafficking in persons and migrant smuggling in Nigeria.

To critically analyze human trafficking and migrant smuggling as a crisis of development and state failure in Nigeria.

To establish the interconnection between globalization, human trafficking, and migrant smuggling.

To analyze the implications of human trafficking and migrant smuggling on national security and nation-building in Nigeria.

To proffer solutions to government and major stakeholders on how to tackle the menace.

3. Methodology

In this study, documentary research was used for data collection. This includes secondary sources from books, press release, electronic journals, background papers, institutional reports and public records with much reliance on description and interpretation of data, rather than collection of data from the field with method such as interview, focus group discussion and the administration of questionnaires.

4. Theoretical Framework

In this study, failed state theory was adopted to analyze border porosity, human trafficking and migrant smuggling in Nigeria. It is relevant to state at the outset that various metrics have been developed to describe the level of governance of states, with significant variation among authorities regarding the specific level of government control needed to consider a state as failed state. Hence, the concept of a failed state is complex and varies based on historical, political and demographic factors [8]. Formally, designating a state as "failed state" can be controversial decision with significant geopolitical implications. Nevertheless, many failed states struggle with extreme poverty, lack of basic infrastructure, and environmental challenges, which can be exacerbated by natural disaster. The citizens in these states often have limited political power and face strict controls from governing factions that undermine fundamental human rights [9]. It is pertinent to note that the term failed state is not an official term in international law, and it does not necessarily imply that the government has collapsed completely; however, it

does indicate that a state is undergoing a period of severe instability and is in danger of becoming completely ungovernable [10].

Originating in the 1990s, the term was initially applied to characterize the situation in Somalia. The country descended into disorder following a coup that ousted its dictator, Siad Barre in 1991, leading to internal conflicts among the clans [11]. In the early 2000, Afghanistan, the Central African Republic, Democratic Republic of Congo, Ethiopia, Haiti, Libya, Mali, Somalia, South-Sudan, Sudan, Syria and Yemen have all been described as failed states [12-16].

A failed state therefore, is a country that has lost control of itself due to a number of factors such as political instability, civilian unrest and lack of governance. The term failed state implies that a sovereign nation-state has lost two primary abilities: the ability to maintain authority over its own people and territory and the ability to protect its own national borders [10]. The governing capacity of a failed state is attenuated such that it is unable to fulfill administrative and organizational tasks required to control people and resources and can provide only minimal public services. Its citizens no longer believe that their government is legitimate, and the state becomes illegitimate in the eyes of international community [17, 18].

Furthermore, a failed state is composed of feeble and flawed institutions often, the executive barely function, while the legislature, judiciary, bureaucracy and armed forces have lost their capacity and professional independence. A failed state suffers from crumbling infrastructure, faltering utility supplies and educational and health facilities, and deteriorating basic human-development indicators, such as infant mortality and literacy rates. Failed states create an environment of flourishing corruption and negative growth rates, where honest economic activity cannot flourish. The dynamics leading to, and compounding state failure are many and varied, including civil war, ethnic violence or genocide, and predatory government and bureaucratic behavior [19]. State failure comes in degrees and is often a function of both the collapse of state institutions and societal collapse.

Conversely, a strong state provides a core guarantees to its citizens and others under its jurisdiction in three interrelated realms of security, economics, and politics. A failed state cannot maintain a monopoly on the legitimate use of violence and minimize internal conflict. It cannot formulate or implement public policies to effectively build infrastructure and deliver services or effective and equitable economic policies. In addition, it cannot provide for the representation and political empowerment of its citizens or protect civil liberties and fundamental human rights. Thus, state failure manifests itself when a state can no longer provide physical security, a productive economic environment, and a stable political system for its people. Most of these states are in Africa, but a handful in Asia and the Middle-East [10].

Also, failed states are known to be hospitable and harbour dangerous non-state actors such as warlords and groups that

commit terrorist's acts. State failure, possesses pressing humanitarian issues and possible emergency relief and state-building responsibilities for international community [10]. It is within the context of all these dynamics of state failure that the challenges of porous borders, human trafficking and migrant smuggling in Nigeria and indeed all the developing nation-states in Africa and elsewhere can be situated.

5. Human Trafficking: Nature, Forms and Dynamics

According to US Secretary of State “human trafficking is a stain on the conscience of our society. It fuels crime, corruption, and violence. It distorts our economies and harms our workers. And it violates the fundamental right of all people to be free. Around the globe, million people are exploited for labor, services, and commercial sex. Through force, fraud, and coercion, they are made to toil in fields and factories, in restaurants and residences. Traffickers prey on some of the world's most marginalized and vulnerable individuals – profiting from their plight” [20].

Human trafficking, also known as trafficking in persons, is a crime that involves compelling or coercing a person to provide labour or services, or to engage in commercial sex acts. The coercion can be subtle or overt, physical or psychological. It is a form of modern-day slavery [21]. Exploitation of a minor for commercial sex is human trafficking, regardless of whether any form of force, fraud, or coercion was used [22]. Therefore, human trafficking involves the recruitment, transportation, transfer, harboring, or receipt of individuals. This is achieved through exploitative means such as force, coercion, fraud, or deception [23]. In 2024, The EU decided to add exploitation of surrogacy, forced marriage and illegal adoption as forms of exploitation covered by the EU anti-trafficking law.

Human trafficking is an organized crime involving the illegal transportation of individuals by force or deception for the purpose of labour, sexual exploitation, or activities in which others benefit financially. Human trafficking is a global problem affecting people of all ages. It is estimated that approximately 1,000,000 people are trafficked each year globally and that between 20,000 and 50,000 are trafficked into the United States, which is one of the largest destinations for victims of the sex-trafficking trade [24]. In 2022, there were 10,093 registered victims of trafficking in human beings in the EU and 2,097 convicted traffickers. In 2023, 7,500 victims were identified under the EU platform for fighting organized serious crimes, with 457 arrests reported [25].

Globally, human traffickers often create transnational routes for transporting migrants who are driven by unfavorable living conditions to seek the services of a smuggler. Human trafficking usually starts in origin countries—namely,

Southeast Asia, eastern Europe, and sub-Saharan Africa—where recruiters seek migrants through various mediums such as the Internet, employment agencies, the media, and local contacts. Middlemen who recruit from within the origin country commonly share the cultural background of those migrating. Migrants view the services of a smuggler as an opportunity to move from impoverished conditions in their home countries to more stable, developed environments [24].

Because such circumstances make it difficult for victims to obtain legitimate travel documents, smugglers supply migrants with fraudulent passports or visas and advise them to avoid detection by border-control agents. Transporters, in turn, sustain the migration process through various modes of transportation: land, air, and sea. Although victims often leave their destination country voluntarily, the majority are unaware that they are being recruited for a trafficking scheme. Some may be kidnapped or coerced, but many are bribed by false job opportunities, passports, or visas. Transporters involved in trafficking victims from the origin country are compensated only after they have taken migrants to the responsible party in the destination country. Immigration documents, whether legitimate or fraudulent, are seized by the traffickers. After this, victims are often subjected to physical and sexual abuse, and many are forced into labour or the sex trade in order to pay off their migratory debts [26].

The cause of human trafficking stems from adverse circumstances in origin countries, including religious persecution, political dissension, lack of employment opportunities, poverty, wars, and natural disasters. Another causal factor is globalization, which has catapulted developing countries into the world's market, increasing the standard of living and contributing to the overall growth of the global economy. Unfortunately, globalization is a double-edged sword in that it has shaped the world's market for the transportation of illegal migrants, affording criminal organizations the ability to expand their networks and create transnational routes that facilitate the transporting of migrants. The U.S Department of State adds that the HIV/AIDS epidemic has generated a large number of orphans and child-headed households, especially in sub-Saharan Africa, a situation that creates fertile soil for trafficking and servitude [20]. Trafficking takes many forms, often overlapping. In 2022, 8 per cent of victims of trafficking in North America faced both sexual and labour exploitation. Southeast Asia has seen a rise in trafficking for online scams, targeting youths and adults through deception. These trends highlight traffickers' adaptability and the need for robust prevention and enforcement both offline and online [24].

Trafficking in persons is a grave violation of human rights that continues to affect millions globally. There is no region that is immune from it and there is no single profile of a trafficking victim. Victims of human trafficking can be anyone—regardless of race, color, national origin, disability, religion, age, gender, sexual orientation, gender identity, socioeconomic status, education level, or citizenship status.

But as is the case in many crimes of exploitation and abuse, human traffickers often prey upon members of marginalized communities and other vulnerable individuals. In the United States of America for instance, a lot of the victims include children in the child welfare system or children who have been involved in the juvenile justice system; runaway and homeless youth; unaccompanied children; persons who do not have lawful immigration status in the United States; Black people and other people of color; American Indians, Alaska Natives, Native Hawaiians, Pacific Islanders, and other indigenous peoples of North America; Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI+) individuals; migrant laborers; persons with disabilities; and individuals with substance use disorder [22].

Victims can be found in legal and illegal labor industries, including child care, elder care, the drug trade, massage parlors, nail and hair salons, restaurants, hotels, factories, and farms. In some cases, victims are hidden behind doors in domestic servitude in a home. Others are in plain view, interact with people on a daily basis, and are forced to work under extreme circumstances in exotic dance clubs, factories, or restaurants. Victims can be exploited for commercial sex in numerous contexts, including on the street, in illicit massage parlors, cantinas, brothels, or through escort services and online advertising. Just as there is no one type of trafficking victim, perpetrators of this crime also vary. Traffickers can be foreign nationals or family members, partners, acquaintances, and strangers. They can act alone or as part of an organized criminal enterprise. People often incorrectly assume that all traffickers are males; however, different countries have prosecuted cases against women traffickers. Traffickers can be pimps, gang members, diplomats, business owners, labor brokers, and farm, factory, and company owners [22].

Although there is no defining characteristic that all human trafficking victims share, traffickers around the world frequently prey on individuals whose vulnerabilities including poverty, limited English proficiency, or lack of lawful immigration status, exacerbated by lack of stable, safe housing, and limited economic and educational opportunities. Trafficking victims are deceived by false promises of love, a good job, or a stable life and are lured or forced into situations where they are made to work under deplorable conditions with little or no pay. In the United States, trafficking victims can be American or foreign citizens. In third world countries, human trafficking is so rife due to chronic poverty which is ravaging and continues to tear the society apart. The number of out of school children, general unemployment and high level ignorance have rendered a lot of young people victims of human trafficking even as the different governments continue to pay lip service to the issues of development and empowerment [27].

To this end, global trafficking patterns have become increasingly transnational, with African victims representing a significant portion of international trafficking flows, espe-

cially to Europe and the Middle East. Factors such as armed conflict, displacement, and climate change have exacerbated vulnerabilities, particularly in Africa, where trafficking for both labour and sexual exploitation remains a significant issue [24].

The number of trafficking victims has seen a troubling rise since the COVID-19 pandemic, with a 25 per cent increase in global detections between 2019 and 2022, according to the Global Report on Trafficking in Persons 2024. This uptick in cases reflects the increasing visibility of trafficking victims across various regions particularly among the vulnerable population—including women, children, and migrants—who are disproportionately targeted, often falling victim to sophisticated organized criminal networks [24].

It is pertinent to note that forced labour is the most common form of human trafficking, accounting for 42 per cent of victims globally in 2022. This type of trafficking often targets individuals for exploitation in industries such as construction, agriculture, domestic servitude, mining, and fishing. Men make up nearly 70 per cent of forced labour victims, while women and girls also face exploitation, particularly in domestic work. Regions like Sub-Saharan Africa, South Asia, and the Middle East reported a significant prevalence of forced labour, reflecting vulnerabilities in low-income and conflict-affected areas. Despite its scale, forced labour accounts for only 17 per cent of trafficking convictions globally, stressing challenges in addressing these crimes within legal systems across regions [24].

Also, sexual exploitation remains a major form of trafficking, involving 36 per cent of victims in 2022. Women and girls dominate this category, representing over 90 per cent of victims, with girls accounting for 28 per cent. This exploitation often occurs in tourist hubs such as hotels and resorts as well as in massage parlours, nightclubs, and increasingly through online platforms. Countries in North America, Central America, and Europe report high numbers of girls trafficked for sexual purposes, with a sharp rise in cases since 2019. Court cases frequently document victims being forced into prostitution or used to produce sexual abuse material. Traffickers, often preying on vulnerability, deceive individuals with false promises of well-paying jobs, only to coerce them into performing sexual acts, underscoring the severe risks and exploitation inherent in trafficking for sexual purposes [24].

Trafficking for forced criminality is an emerging concern, with victims coerced into illegal activities like drug trafficking, theft, fraud, and online scams. This form of trafficking primarily affects boys and men, with about 22 per cent of the total victims identified in just Western and Southern Europe. According to the report, unaccompanied children are often exploited by organized crime groups to distribute drugs or carry out petty crimes in Western Europe. Meanwhile, Southeast Asia reports a rise in trafficking for cyber fraud, where victims are lured under false pretences and forced to engage in online scams. This area of trafficking underscores

the growing role of digital technology in criminal operations.

Nevertheless, forced marriage, while less frequently detected, remains a serious form of exploitation, particularly affecting women and girls. Cases are most prevalent in South Asia (about 200 victims) and parts of Africa, where cultural and socio-economic pressures contribute to trafficking for this purpose. Victims of forced marriage often faced overlapping forms of exploitation, including domestic servitude and sexual abuse.

Forced begging involves traffickers exploiting vulnerable individuals, primarily children, to solicit money in public spaces. In 2022, North Africa and the Middle East recorded the highest prevalence, with children making up for all the detected cases of forced begging in North Africa. Girls and boys are trafficked equally for this purpose, often coerced through threats or violence including by their teachers. Despite its visibility, forced begging remains under reported in many regions due to its informal nature and lack of systematic enforcement.

Trafficking for organ removal is one of the rarest but most harrowing forms of exploitation, with at least 175 cases reported globally by some 25 countries between 2017 and 2023. Most victims are adults, with men comprising 63 per cent of those trafficked for this purpose. North Africa and the Middle East reported the highest numbers, followed by Europe and Central Asia as well as East Asia and South Asia. Traffickers exploit individuals in desperate economic or humanitarian situations, targeting them with promises of payment in exchange for their organs. This form of trafficking often involves complex, transnational criminal networks, complicating prosecution efforts [24].

Among the rising concerns is the growing number of child trafficking victims with a significant increase in the proportion of girls affected—rising from 31 per cent to 38 per cent. This surge is particularly evident in the Americas as well as in other regions including Europe. Girls are predominantly targeted for sexual exploitation, while boys are more often exploited for forced labour and other forms of exploitation such as forced criminality and begging [24].

It is worthy of note that there is a shift in the nature of trafficking. Between 2019 and 2022, trafficking for forced labour surged by 47 per cent, surpassing trafficking for sexual exploitation as the leading form of trafficking. Despite this shift, the criminal justice response remains slow, with convictions for forced labour still lagging behind those for sexual exploitation. Women and girls continue to make up the majority of trafficking victims at 61 per cent. While women are trafficked predominantly for sexual exploitation, many are also exploited for forced labour, especially in domestic work [28].

However, there is a Protocol to prevent, suppress and punish trafficking in persons. The adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children by the UN General Assembly in 2000 marked a pivotal moment in the global fight against

human trafficking. Recognizing the need for a universal framework, the Protocol, which is part of the UN Convention against Transnational Organized Crime, established a comprehensive international approach encompassing prevention, prosecution, and victim protection.

Despite the existence of a comprehensive international legal framework, millions of people continue to be trafficked each year, in all regions and in most countries of the world. With trafficking patterns becoming increasingly sophisticated, targeted solutions are critical to combat the rising prevalence of forced labour, sexual exploitation, and emerging forms of trafficking, including forced criminality and online scams. The report highlights the need for multi-layered approaches that address both the immediate vulnerabilities of victims and the systemic drivers of exploitation, such as poverty, displacement, and gender inequality. Further, it emphasizes the urgency of harmonizing data collection and analysis across countries, enhancing international cooperation, and investing in proactive law enforcement strategies that prioritize victim protection. Integrating anti-trafficking measures into broader social, economic, and environmental policies is equally critical, particularly as climate change and conflict exacerbate vulnerabilities in affected regions.

Civil society organizations, the private sector, and communities have a pivotal role in this fight. From raising awareness and providing direct support services to advocating for policy reforms and engaging with survivors. Their efforts, coupled with strengthened public-private partnerships, can amplify prevention initiatives, enhance digital safety measures, and disrupt the infrastructure traffickers rely on. As trafficking adapts to the complexities of modern global challenges, the collective resolve of the international community must remain steadfast in safeguarding human dignity and promoting equitable solutions for all affected individuals.

6. Migrant Smuggling: The Risks, Impetus and Dimensions

UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, which supplements the UN convention Against Transnational Organized Crime (2000) defined migrant smuggling as the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or permanent resident [29]. It is the facilitation for financial gain or other material gain, of irregular entry into a country where the migrant is not a national or resident. Migrant smuggling crimes are committed by connected transnational or Organized Criminal Groups (OCGs) working on trafficking routes, often ruthlessly endangering the life and limb of migrants throughout the journey by land, air or sea [30].

Migrant smuggling has developed significantly since the

migration crisis began in 2015. According to Europol and Interpol, over 90 percent of irregular migrants pay smugglers to try to reach Europe. This is highly lucrative business for criminal networks, and there is low risk of getting caught [25]. The criminals behind this highly profitable business seize opportunity created by the need or desire of people to escape not just poverty and lack of employment opportunities, but also natural disaster, conflict or persecution [31]. Some victims simply desire to reunite with family members abroad. Migrant smugglers are not motivated by altruistic or humanitarian reasons, but driven by the desire for financial and material gain. They take advantage of large number of migrants willing to take risks in search of a better life when they cannot access legal channels of migration. Migrant smuggling affects the sovereignty of States over their borders and is a criminal act under the domestic law of many states [29].

It is pertinent to stress that migrant smuggling is a deadly business. The deadliest form of migrant smuggling is by Sea. Almost 60 percent of fatalities are due to drowning on Sea routes. Mediterranean routes are among the most perilous for migrants and refugees. Secondly, migrant smuggling is transnational as smuggling involves providing a migrant or refugees with assistance in crossing an international border without proper authorization, in return for payment. It can be committed by air, usually facilitated by counterfeit or fraudulent obtained documents, on perilous overland journeys across roads, desert, forests, mountains and rivers or on hazardous sea passages. It is a very lucrative crimes given the amount smugglers realize year in year out. Migrant smuggling often goes unpunished as the high level criminals are not seen easily but the low level criminals, and above all, migrants may be exploited in the course of the journey [32].

Although the terms are often confused, the smuggling of migrants is not the same as human trafficking. An element of exploitation is required in trafficking but not smuggling. Smuggling must be consensual and must be transnational, as human trafficking may also occur within a country's territory. In practice, it may be hard to establish the boundary between smuggling and trafficking as element of exploitation and abuse may emerge during transit or at destination, even in the presence of initial consensus on the part of the migrants. Smuggling and trafficking may occur on the same routes and smuggling can lead to trafficking, making it difficult to discern one from the other. For instance, some smuggled persons may be subjected to sex or labour trafficking while on transit or at destination. However, not all smuggling cases involve human trafficking nor do all cases of human trafficking begin with migrant smuggling [33]. It is also important to note that human trafficking is crime against an individual, whereas migrant smuggling is a crime against the state [34].

Like human trafficking, the smuggling of migrants is a global phenomenon with a large number of countries affected by it as origin, transit or destination points as profit seek-

ing criminals smuggle migrants across borders and between continents. Assessing the real size of this crime is a complex matter owing to its underground nature and difficulty of identifying when irregular migration is being facilitated by smugglers.

In terms of regional trends, there are an estimated 3 million irregular entries into the United States each year, most of which involve smuggling [35]. As for mixed migration movements to Europe, 296, 985 migrants arrive Bulgaria, Cyprus, Greece, Italy, Malta and Spain via the Mediterranean routes and the West Africa Atlantic routes in 2023, the majority of whom are believed to have used smuggling services [7]. Annually, tens of thousands of people from areas of South-east Asia and from Myanmar are smuggled to, through and from Malaysia, Thailand and Indonesia [31].

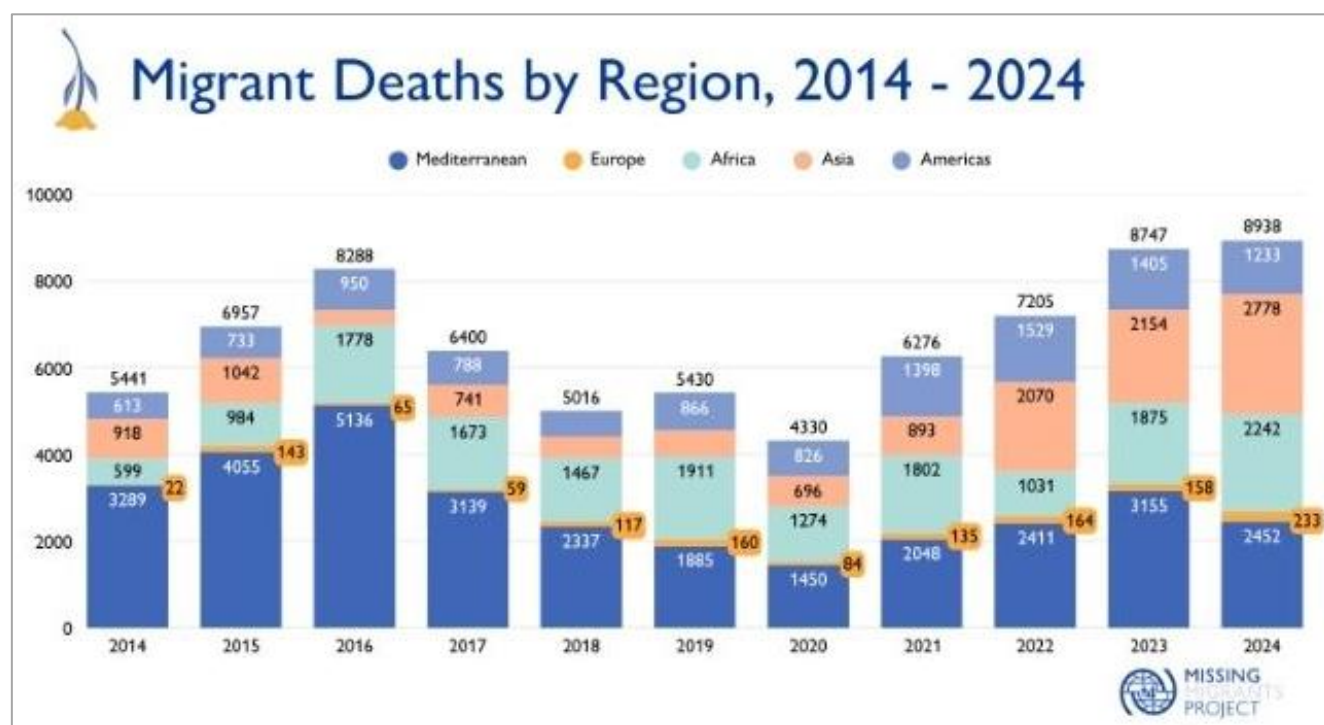
However, it was estimated that, a minimum 2.5 million migrants were smuggled in 2016 in exchange for an estimated USD 5-5.7 billion [34]. It is a business that could be worth as much as USD 10 billion or more per year, given the fact that routes from West, East and North Africa to Europe and South America to North America generate approximately USD 6.75 billion a year [36]. Estimating the global revenue from smuggling is itself problematic, as for many routes it is difficult to estimate the number of smuggled migrants or the profit gained by smugglers [37, 34]. Measurements of the profit margin of migrants smuggling must be assessed carefully, as there are many factors that contribute to such a number, such as distance and complexity of route, the degree of institutional control of the route and the reception of migrants in transit and destination countries [34].

UNODC 2018 estimated the revenues for the smugglers along specific routes per year, for 2016 or earlier, as follows: Smuggling into European Union total for the three Mediterranean routes USD 320-550 million, land routes from Sub-Saharan Africa to North USD 1-5 billion, different routes to South-Africa 45.5 million, Sea routes from the Horn of Africa to Arabian Peninsula USD 9-22 million, land routes to North America USD 3.7-4.2 billion, from neighboring countries to Thailand USD 192 million (in 2010), land routes from South-West Asia to Turkiye approximately USD 300 million [34].

Globally, 2024 was the deadliest year on record across most regions of the world, including Asia (2,778) people recorded dead, Africa (2, 242) and Europe (233). The 2,452 deaths documented in the Mediterranean Sea in 2024 are not the largest annual total ever, but the large number shows the need for adequate search and rescue systems as well as the need for safe and regular routes as alternatives to risky journeys [38]. IOM maintained that final data is not yet out for Americas, but at least 1, 233 deaths occurred in 2024. That includes an unprecedented 341 lives lost in the Caribbean in 2024 and a record 174 deaths of migrants crossing Darien. Across the world, deaths due to violence remained prevalent for people on the move. Since 2022, at least 10 percent of all migrant deaths recorded occurred because of violence. In

2024, this was due in large part to violence against those in transit in Asia, with nearly 600 lives lost on migration routes across South and South-eastern Asia. The actual number of

migrant deaths and disappearances is likely much higher, as many have gone undocumented because of the dearth of official sources [38].



Source: IOM, 2024

Figure 1. Migrant Deaths by Region 2014-2024.

A UNODC report discovered that in Nigeria, 28 percent of smuggling recruitment is done through modern information and communication technologies. 48 percent of migrants met a smuggler through family and friends, while using phones socials or in person, 38 percent of migrants approached the smugglers themselves and 14 percent were approached by the smugglers [39]. However, in South-east Asia, only 13 percent of those seeking smuggling services used social media, while the remaining 87 percent use phones or contacted smugglers in person [31].

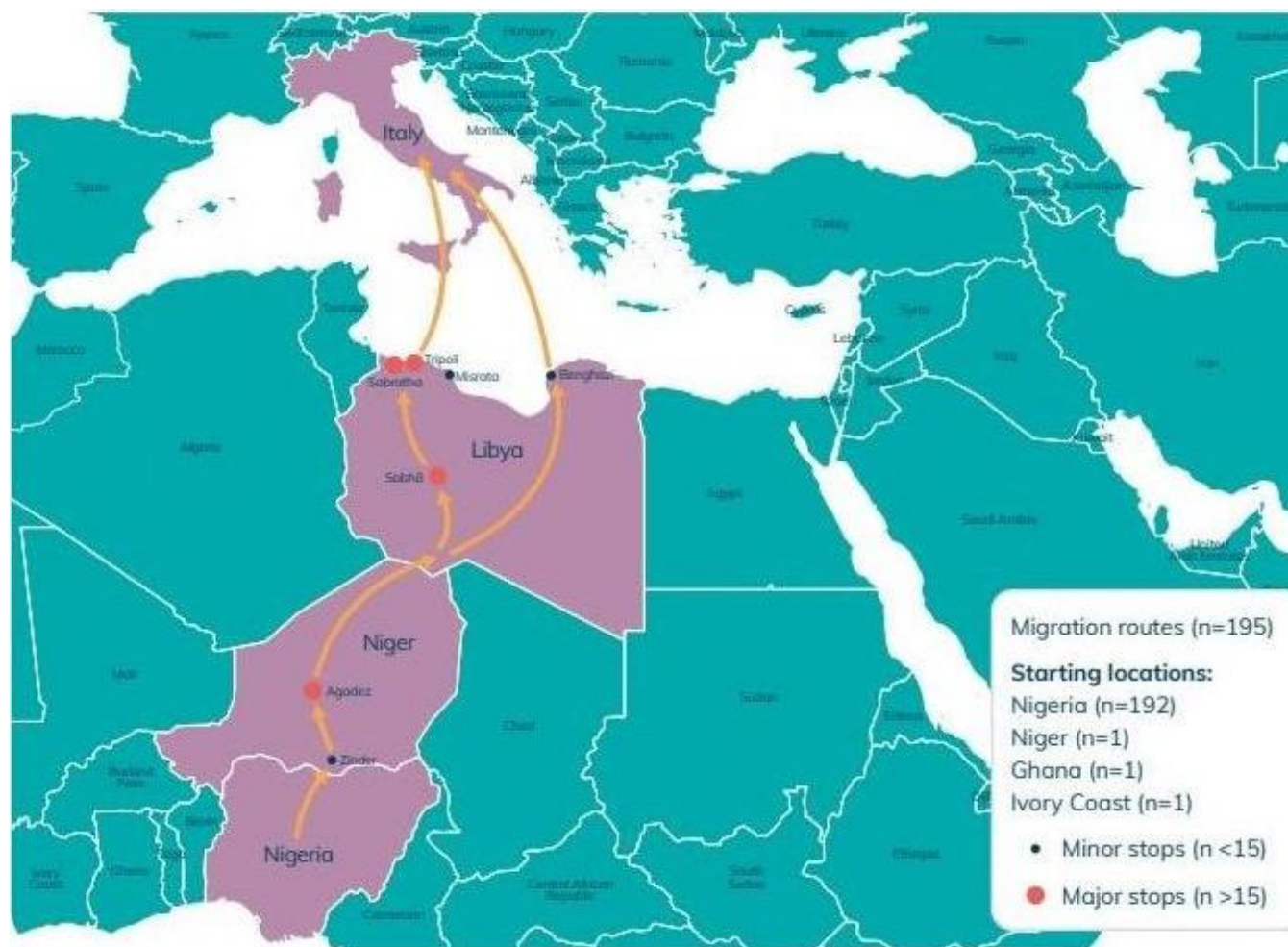
7. The Nature and Character of Human Trafficking in Nigeria

Nigeria is a source, transit, and destination country for women and children subjected to trafficking in persons including forced labour and forced prostitution [40]. The U.S. State Department's Office to Monitor and Combat Trafficking in Persons placed the country in "Tier 2 Watchlist" in 2017 [41]. Trafficked people, particularly women and children, are recruited from within and outside the country's borders – for involuntary domestic servitude, sexual exploitation, street hawking, domestic servitude, mining, begging

etc.

Some are taken from Nigeria to other West and Central African countries, primarily Gabon, Cameroon, Ghana, Chad, Benin, Togo, Niger, Burkina Faso, and the Gambia, for the same purposes. Children from other West African states like Benin, Togo, and Ghana – where Economic Community of West African States (ECOWAS) rules allow for easy entry – are also forced to work in Nigeria, and some are subjected to hazardous jobs in Nigeria's granite mines [42].

It is instructive to note that for quite a long time, Nigerian women and girls are the vulnerable and have been trafficked to Europe for sexual exploitation due to limited work opportunity at home. According to the report by (IOM, 2006), although women are increasingly becoming aware that they will be working in a sex business when offered jobs in Europe, they are often unaware of the circumstances that await them. Most of the women the report added incur debts of anywhere between USD 40,000-100,000 to traffickers in their bid to reach Europe [43]. Although of the several hundreds of thousands of Nigerians in Europe live in the United Kingdom, Italy is host to the second-largest group of Nigerians and is the most important destination for Nigerian victims of trafficking.



Source: Mixed Migration Center MMC, 2022

Figure 2. Map showing smuggling and trafficking routes from Nigeria to Italy.

Estimate of the share of Nigerians among foreign prostitutes in Italy in recent years have varied from about a quarter to a half with Turin the first stop for many of the Nigerian arriving in the country. Other major destinations include the Netherlands, Spain, Germany, Belgium and Austria with France also increasingly becoming a destination point. The source of victim is predominantly Edo state in the Southern part of the country, with Benin City identified as the main junction for prostitution related emigration.

Also, the dynamics of Nigerian trafficking are also characterized by creation of a binding pact which both sides have to honour - the victim has to pay off the debt regardless of what is suffered along the way, and the trafficker has to let the victim earn money for herself after the debt has been paid off. This differs greatly from trafficking in other parts of the world where force is commonly used. If the Nigerian victim is uncooperative, however, she may be exposed to a mixture of violence and rituals which are coercive. In some cases, increasing counter-trafficking efforts by law enforcement in Europe and Nigeria have led to the wider use of violence by

traffickers in a bit to maintain control over the victims. Victims feel that breaking the pact would then not only affect their physical and mental health, but would also shame the entire community back home [43].

Another characteristic of Nigerian trafficking is that it is organized primarily by women. Many of the traffickers have themselves been trafficking victims. Women who fulfill the pact are free to earn a living on their own; often it is difficult to find work in Europe that is unrelated to the trafficking business. For many families, having a daughter going to Europe represents the only escape route from poverty. Many of the trafficked women are the eldest child or eldest daughter and are made to feel a heavy responsibility for taking care of the family. As awareness of trafficking in Nigeria is increasing, traffickers have in recent years are turning to rural areas where women and girls have less access to information, usually poorer and often easier to influence through religious rituals [43].

It is pertinent to note that human trafficking in Nigeria is a classic manifestation of a failed state. Nigeria with abundant

natural resources remains the poverty headquarters of the world with majority of the citizens living in abject poverty. 26 years after the return to democratic rule in Nigeria, the country is in dire-straits. The high hopes and optimism displayed by the people on the eve of democratic return in 1999 has since evaporated, paving the way for despair and disenchantment because the Nigerian state has failed to meet the yearnings and aspirations of the people. The state has failed to provide the basic things of life to its citizens which made many analysts to describe Nigeria as a failed state. As poverty increases, most especially, with the removal of fuel subsidy by this current administration, unemployment has not abated as a lot of industries are comatose. Insecurity is almost everywhere with banditry, senseless killings and kidnapping for ransom becoming very common in the country making Nigeria one of the worst places to live on earth. While the elites live in abundance with armed security, the ordinary citizens live in misery and penury.

Direct foreign investments are not forthcoming, as the state has failed to create enabling environment for businesses to thrive. Corruption, mismanagement and embezzlement of public funds by the rapacious elites have become the order of the day. The only lucrative business in the country is politics. One can venture into it and become a multi-billionaire overnight. Public education institutions are moribund, with the private sector taking over education from the kindergarten to the university. The implication is that poor children cannot access good education as they cannot afford to pay. The state only pays lip service when it comes to funding of education, as the elites continue to fly their children to topnotch universities abroad to acquire education [44].

Public health institutions are almost non-existing; as hospitals have been reduced to centers of murder, where people visit to give up the ghost. If the problem is not strike or lack of medical personnel, to attend to patients, it is lack of equipment to diagnose patients. Where drugs are available, patients pay through their nose to access them. Therefore, the lack of commitment to fund the health sector of Nigeria by the governments has pushed many people out of the country in search for better alternatives. All these factors put together, have encouraged human trafficking and migrant smuggling to Europe from Nigeria over the years.

8. Nexus Between Porous Borders, Human Trafficking and Migrant Smuggling in Nigeria

One of the greatest security challenges confronting Nigeria is the porosity of her borders. Nigeria's porous borders provide 'asylum' and safe haven to criminals, and are locations of unlawful vices including human trafficking and migrant smuggling. These borders provide opportunities for traffickers and smugglers to move victims across frontiers due to inadequate monitoring, corruption and vast difficult to

patrol territories [45]. These vulnerable under-resourced border areas create what is known as "crime opportunity space" or "ungovernable space" where migrants smuggling alongside other illicit activities can flourish, with traffickers often bribing officials to exploit these gaps in security. In fact, the contemporary Nigerian state has witnessed an upsurge in arm proliferation, leading to banditry, terrorism, kidnapping and ethno-religious killings primarily because of her porous borders. These borders are known for limited security presence and law enforcement officials who operate sometimes without modern equipment to detect crimes [3].

More so, the ECOWAS Protocol of free movement, establishment and residence which Nigeria is a signatory to, has exacerbated the situation with virtually everything and everybody from the member states coming in and out of Nigeria without the necessary security checks. Traffickers and smugglers exploit this Protocol to perpetrate their nefarious activities without any challenge. It is instructive to note that Nigeria has over 1,499 irregular entry points and 84 regular (legal) officially identified entry routes into Nigeria from neighboring countries with a lot of them not manned or having Closed Circuit Television Camera CCTV, making it extremely difficult or impossible to protect the country from transnational criminal networks and syndicates [46].

A heart breaking human trafficking and migrant smuggling case was reported in 2015, when the security operatives fighting cross-border crimes especially on child trafficking and forced labour discovered child slave camps in the western states of Nigeria namely Osun, Oyo and Ogun states. About 116 children from the ages 4 to 13 years were rescued from these camps. The camp owners later revealed that the children in the camps were smuggled into the country through the border of Benin Republic and were brought in sacks. In the Eastern part of the country with specific reference to Ebonyi and Enugu states, children are trafficked to neighboring states and outside the country [3]. Internally, there are recorded cases of children trafficked from Edo and Cross Rivers states in the south to Ogun and Ondo states in the west, to work in rubber plantations. Recently, a large consignment of children was intercepted in Jos, Plateau state as they were being transported to Kano state as source of cheap labour [47].

In the first week of March 2015, over 100 children were recovered from traffickers in two separate incidents, while on 4th March 2015; immigration authorities monitoring the country's border with Togo Republic intercepted a truck carrying 52 children. Among the four suspects arrested was a clergy man [48].

On 5th of March 2016, policemen intercepted a refrigerated truck containing 64 severely dehydrated children. These children were being trafficked from Mokwa in Niger state passing through Lagos to unknown destination where they are to work as servants. Between 2015 and 2016, NAPTIP repatriated 757 child victims. According to the UNICEF 2017 Report, about 1,475 children (about 80% girls and 20%

boys) were rescued from traffickers. All these and more are threats to Nigeria's national security and they continue to grow within the country and across the borders due to state failure, emanating from the inability of the government to effectively manage its frontiers.

However, in a bid to tackle the menace of human trafficking in Nigeria, the government has been working in collaboration with the Police, Customs, Immigration, Network Against Child Trafficking, Abuse and Labour NACTAL and later, established National Agency for the Prohibition of Trafficking in Persons NAPTIP in 2003 [49]. Specifically, the Public Enlightenment Unit of NAPTIP, with focus in remote areas of Benue, Kogi, and Edo states, partners with a lot of NGOs and CSOs like Devatop Centre for Africa Development to create awareness and had educated over 5,000 women, teenagers, educators and youth on human trafficking prevention. In 2015, they initiated The Academy for Prevention of Human Trafficking and Other Related Matters TAPHOM, a pilot project to train anti-human trafficking advocates to combat human trafficking in their communities. Between 2015 and 2016, the project has trained 120 people from 6 states [50].

Through these programs, two brothels in Lagos were closed, with 12 females and 6 under aged rescued in the first quarter of 2010. In February 2020, the Police also recovered 232 sex trafficking victims and forced labour in the capital city of Niamey [49, 50]. These recovered victims and the likes are usually provided shelter at any of the NAPTIP's eight designated shelters, alongside food, clothing, recreational activities, psychological counseling and vocational training depending on the needs of the victims at any point in time. In such cases, victims stay in the provided shelters for six weeks and are moved to civil society agencies for longer duration. In 2009, government's expenditure on NAPTIP's shelter facilities was estimated to be \$666,000 and vocational training support had been provided for 70 victims as well [49].

The provision of welfare for human trafficking victims is a requirement of the 2003 Trafficking in Persons Law Enforcement and Administration Act, amended in 2005, and re-enacted in 2015 by former Nigerian President Goodluck Jonathan. This law prescribes penalty of five years' imprisonment and/or a \$670 fine for labour trafficking; 10 years imprisonment for the trafficking of children for forced begging or hawking; and 10 years to life imprisonment for sex trafficking [49]. Child trafficking is also recognized as a criminal offence in the 2003 Child Rights Act enacted in only 23 states in Nigeria. In line with the 2003 Trafficking in Persons Act, NAPTIP have recorded 26 prosecutions and 25 convictions of trafficking offences out of 149 reported investigations, with sentences ranging from two months to 10 years and only two defaulters offered the option of fine payment [49].

9. Conclusion and Recommendations

It is a truism that human trafficking is a serious crime that

abuses people's fundamental rights and dignity. No nation is immune from human trafficking as it varies in degree from one country to the other. It involves the criminal exploitation of vulnerable people for the sole purpose of economic gain. It is a modern form of slavery. Human trafficking can take place within a country and across international borders and their victims are of both genders and all ages. Human trafficking can take various forms and may involve sexual exploitation, forced labour or services, slavery, servitude and related practices and victims can be used for other criminal activities. Closely related to human trafficking is migrant smuggling which has become a major source of concern to the international community. People pay to be smuggled into different countries of the world in search for better opportunities. In Nigeria, the situation is frightening as human traffickers and migrant smugglers take advantage of the porous borders and the debilitating economic conditions of many people to perpetrate these nefarious activities, even as the government has failed to meet the yearnings and aspirations of the people. Today, most of these borders remain 'ungovernable spaces' and these criminals operate almost unchallenged as the push factors that encourage human trafficking and migrant smuggling in Nigeria are on the increase. This remains the bane of national security in Nigeria.

Nevertheless, human trafficking and migrant smuggling can be reduced if the Nigerian government will make conscious and deliberate efforts to tackle unemployment and poverty. These are fundamental issues in Nigeria and they are the primary reasons why people are ever ready and willing to leave the shores of Nigeria to be enslaved elsewhere. Jobs must be created to empower the youths to make a living. Those who want to innovate must be supported and entrepreneurship must be encouraged to reduce over reliance on government's jobs.

Security of lives and properties must be prioritized by the government. A lot of people flee from violence and become victims of human trafficking and migrant smuggling because of conflicts in their domain. Government must invest massively in security to guarantee the safety of its citizens as no meaning development can be achieved in an atmosphere of war and unrest which have become the hallmark of the Nigerian state.

The government must give attention to the porous Nigerian borders which have become a safe haven for criminal activities because of the absence of security officials and lack of modern equipment to monitor the movement and activities of criminal elements. CCTV Cameras and other sophisticated gadgets should be made available and the security operatives should be empowered to carry out their responsibilities without let or hindrance. Also, Perpetrators of these crimes must be punished by the government to serve as deterrence to others.

Inter-regional and continental collaboration must be encouraged. It was observed that these twin-crimes of human trafficking and migrant smuggling always go down when

different regions and continents intensify efforts at combating them. To this end, the UN through the UNODC should encourage member states to prioritize combating human trafficking and migrant smuggling with a view to reducing them to the barest minimum.

The ECOWAS Protocol on free movement, residence and establishment should be reviewed in line with current security realities. Member states should devise a strategy of subjecting their citizens to thorough screening to separate the good ones from the bad ones who hide under the guise of the Protocol for human trafficking and migrant smuggling. West Africa corridor is one of the major routes for these criminals, hence all hands must be on deck by the various governments to curb these menace.

The National Agency for the Prohibition of Trafficking in Persons and other Related Offences NAPTIP alongside CSOs and NGOs must embark on serious awareness to sensitize the public, especially the youths on the danger of human trafficking and migrant smuggling. The youths must be made to understand that leaving the shores of Nigeria does not automatically translate into riches and abundance. There are fortunes even at home if one has the right mindset and looks inwards. If one must leave the country, it should be done within the ambits of the law.

Above all, corruption, misappropriation, embezzlement of public funds must be fought to a standstill in Nigeria. These are responsible for state failure in Nigeria and are among the reasons why critical infrastructure necessary for decent living are lacking in Nigeria. Nigeria with vast human and material resources should have no business with poverty and poor infrastructure. The government must strive to redistribute resources by creating social safety nets and ensure that the vulnerable members of the society who are targets of human trafficking are taken care of. By so doing, a lot of people who turn out to be victims of human trafficking and migrant smuggling would have no reason to leave Nigeria only to be used as sex workers, beggars, drug traffickers, scammers and fraudsters elsewhere.

Abbreviations

CSOs	Civil Society Organizations
NGOs	Non-Governmental Organizations
NIS	Nigeria Immigration Service
EU	European Union
US	United States
HIV	Human Immunodeficiency Virus
AIDS	Acquired Immunodeficiency Syndrome
LGBTQI	Lesbian, Gay, Bi-sexual, Transgender, Queer and Intersex
UN	United Nations
OCGs	Organized Criminal Groups
USD	United States Dollars
UNODC	United Nations Office on Drugs and Crime
IOM	International Organization for Migration

ECOWAS	Economic Community for West African States
MMC	Mixed Migration Centre
CCTV	Closed Circuit Television
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
UNICEF	United Nations International Children's Emergency Fund
NACTAL	Network Against Child Trafficking, Abuse and Labour
TAPHOM	The Academy for Prevention of Human Trafficking and other Related Matters
EUROJUST	European Union for Criminal Justice Cooperation
ICIR	International Center for Investigating Reporting
EC	European Council

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Conflicts of Interest

The authors declare no conflicts of interest.

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