

CLIMATE-INDUCED TRAFFICKING IN PERSONS IN NIGERIA AND KENYA: A COMPARATIVE LEGAL ANALYSIS

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Abstract

Emerging evidence has shown that climate change is increasingly contributing to human displacement, loss of livelihoods, and resource conflicts, thereby creating conditions that heighten vulnerability to trafficking in persons. Across Africa, prolonged droughts, flooding, desertification, and environmental degradation have intensified competition over scarce resources, disrupted traditional livelihoods, and compelled vulnerable populations to migrate in search of survival opportunities. While growing scholarship has examined the relationship between climate change and human mobility, comparatively little attention has been paid to the adequacy of existing legal frameworks in addressing trafficking risks arising from climate-induced vulnerabilities. This study, therefore, assesses legal responses to climate change-induced trafficking in persons through a comparative analysis of Nigeria and Kenya. The study relied on doctrinal and comparative legal research methods to evaluate whether existing legal regimes adequately respond to the emerging climate-trafficking nexus. The study found that, although both Nigeria and Kenya have established legal frameworks addressing climate change and trafficking in persons, these frameworks continue to operate largely in isolation from one another. The study contends that the principal weakness in existing legal responses lies not in the absence of legislation but in the failure to integrate climate governance, migration management, human rights protection, and anti-trafficking measures within a coherent legal and institutional

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framework. The study concludes that the current legal regimes in both jurisdictions remain inadequate to effectively address the emerging realities of climate-induced trafficking, as they largely adopt reactive approaches that respond to trafficking after exploitation has occurred rather than preventing the vulnerabilities that facilitate it. It argues that effective prevention of climate-induced trafficking requires a proactive, rights-based, and preventive legal framework that mainstreams trafficking risks into climate adaptation, disaster response, migration governance, and social protection policies.

Keywords: Climate change; trafficking in persons; climate-induced vulnerability; climate governance; human rights; comparative legal analysis; Nigeria; Kenya.

1. INTRODUCTION

Scholarly evidence has continue to point to the fact that climate change is no longer merely an environmental challenge but a profound threat to human security, social stability, and sustainable development.¹ Across Africa, rising temperatures, prolonged droughts, recurrent flooding, desertification, and environmental degradation are disrupting livelihoods and reshaping patterns of human mobility on an unprecedented scale.² While these developments are commonly discussed in terms of environmental sustainability and climate adaptation, their implications extend far beyond ecological concerns.

¹ United Nations Trust Fund for Human Security, 'Building Resilience to Climate Threats' (United Nations, October 2017) <<https://www.un.org/humansecurity/wp-content/uploads/2017/10/Human-Security-and-Climate-Change-Policy-Brief-1.pdf>> accessed 16 April 2026.

² Africa Climate Mobility Initiative, *African Shifts: The Africa Climate Mobility Report—Addressing Climate-Forced Migration & Displacement* (Global Centre for Climate Mobility 2023) 12-18 <<https://environmentalmigration.iom.int/sites/g/files/tmzbd11411/files/documents/2023-03/African%20Shifts%20Report.pdf>> accessed 24 April 2026.

Climate change is increasingly creating conditions that heighten vulnerability to exploitation, including trafficking in persons.³

One of the most significant, yet insufficiently examined, consequences of climate change is its role in intensifying competition over scarce natural resources. Across many parts of Africa, diminishing access to arable land, water resources, grazing routes, and other livelihood assets has generated growing tensions between communities whose survival depends on climate-sensitive economic activities.⁴ In regions already characterized by poverty, weak governance, and socioeconomic inequalities, climate-induced resource scarcity has contributed to conflicts between farmers and pastoralists, communal violence, displacement, and livelihood disruption. These developments are particularly evident in Nigeria and Kenya, where environmental pressures have increasingly transformed resource competition into a broader human security challenge.⁵

The significance of these resource conflicts lies not only in their capacity to generate violence and displacement but also in the vulnerabilities they create. Individuals and communities affected by environmental degradation, conflict, and livelihood loss often find themselves compelled to migrate in search of safety and economic opportunities. In the process, many become exposed to exploitative

³ United Nations Office on Drugs and Crime, Global Report on Trafficking in Persons 2022 (UNODC 2023) 37-41 <https://www.unodc.org/documents/data-and-analysis/glotip/2022/GLOTiP_2022_web.pdf> accessed 24 April 2026.

⁴ Stockholm International Peace Research Institute, *Climate Change, Resource Scarcity, and Communal Conflict in Sub-Saharan Africa* (SIPRI Policy Brief No 14, 2024) 4-9 <<https://www.sipri.org/sites/default/files/Policy-brief%2C-Climate-change-and-violent-conflict%2C-April-2016.pdf>> accessed 16 April 2026.

⁵ Stockholm International Peace Research Institute, Pathways of Climate Insecurity: Guidance for Policymakers (SIPRI Policy Brief 2020) 2-4 <https://www.sipri.org/sites/default/files/2020-11/pb_2011_pathways_2.pdf> accessed 16 April 2026.

labor arrangements, deceptive recruitment practices, forced labor, sexual exploitation, forced marriage, and other forms of trafficking in persons.⁶ It is important to note that climate change does not directly cause trafficking. Rather, it operates as a threat multiplier that deepens existing vulnerabilities and creates conditions that traffickers exploit. The relationship between climate change and trafficking is therefore best understood through the interconnected pathways of resource scarcity, conflict, displacement, livelihood insecurity, and irregular migration.

Despite growing recognition of the links between climate change, displacement, and human vulnerability, legal responses have largely developed within separate policy and regulatory spheres. Climate governance frameworks continue to focus primarily on mitigation, adaptation, disaster risk reduction, and environmental resilience, while anti-trafficking regimes remain centered on criminalization, prosecution, and victim protection. As a result, the legal and institutional connections between climate-induced vulnerability and trafficking in persons remain insufficiently developed. This fragmentation has created significant protection gaps for populations whose susceptibility to exploitation is shaped by environmental stress, resource conflicts, and climate-related displacement.⁷

This challenge is particularly evident in Nigeria and Kenya. Both countries are among Africa's most climate-vulnerable states and have experienced increasing environmental pressures, displacement, and resource-based conflicts. At the same time, both jurisdictions possess dedicated climate change legislation and comprehensive anti-

⁶ Anti-Slavery International and International Institute for Environment and Development, *Climate Change and Modern Slavery: The Human Rights Impacts of Climate Change on Vulnerable Populations* (Anti-Slavery International 2021) 14-22 <antislavery.org> accessed 26 April 2026.

⁷ Ibid.

trafficking frameworks. Yet, despite these legal developments, climate governance and anti-trafficking responses continue to operate largely as distinct policy domains. Consequently, the vulnerabilities generated by climate change rarely feature prominently within anti-trafficking strategies, while climate adaptation measures seldom incorporate trafficking prevention as a policy objective.⁸

Although an emerging body of scholarship has explored the relationship between climate change, migration, and human trafficking, relatively little legal scholarship has critically examined whether existing legal frameworks are capable of responding effectively to climate change-induced trafficking, particularly within African jurisdictions. Even fewer studies have undertaken a comparative analysis of countries confronting similar environmental challenges while operating under different legal and institutional arrangements. This study addresses that gap through a comparative examination of Nigeria and Kenya.

The study argues that climate change has transformed trafficking in persons from a conventional criminal justice concern into a broader climate governance and human rights challenge. It contends that the principal weakness in existing legal responses lies not in the absence of legislation but in the failure to integrate climate governance, migration governance, human rights protection, and anti-trafficking law into a coherent preventive framework. Unless legal systems address the structural vulnerabilities generated by climate change,

⁸ Harrison O Ogedegbe and Amina A Yusuf, 'In Search of a Sustainable Future: A Comparative Assessment of Climate Change Regimes in Nigeria and Kenya' (2024) 15(2) *African Journal of Legal Studies* 184, 189-195
<https://www.researchgate.net/publication/379769525_In_search_of_a_sustainable_future_A_comparative_assessment_of_climate_change_regimes_in_Nigeria_and_Kenya> accessed 16 May 2026.

resource conflicts, displacement, and livelihood insecurity, efforts to combat trafficking will remain largely reactive and incapable of providing meaningful protection for climate-vulnerable populations.

Employing a doctrinal and comparative legal methodology, the study examines relevant international, regional, and domestic legal instruments, policy frameworks, judicial decisions, and scholarly literature. Through a comparative assessment of Nigeria and Kenya, it evaluates the adequacy of existing legal responses and proposes a more integrated framework for addressing the emerging climate-trafficking nexus in Africa. This study contributes to the growing scholarship on climate change-induced trafficking by demonstrating that effective trafficking prevention must form an integral component of climate governance, human rights protection, and sustainable development policy.

2. CONCEPTUAL ANALYSIS

2.1 Climate Vulnerability, Resource Conflicts and Human Exploitation

Climate change has increasingly emerged as a significant driver of human vulnerability, not simply because it alters environmental conditions, but because it disrupts the social, economic, and institutional structures upon which communities depend for survival.⁹ Across many parts of Africa, prolonged droughts, desertification, recurrent flooding, declining agricultural productivity, and environmental degradation have undermined traditional livelihoods, particularly among populations whose economic activities depend

⁹ Intergovernmental Panel on Climate Change, 'Summary for Policymakers' in H-O Pörtner and others (eds), *Climate Change 2022: Impacts, Adaptation and Vulnerability* (Cambridge University Press 2022) 11-14
<https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf> accessed 16 May 2026.

heavily on access to land, water, fisheries, and grazing resources.¹⁰ These developments have transformed climate change from an environmental challenge into a broader human security concern with far-reaching implications for displacement, migration, conflict, and exploitation.

One of the most significant consequences of climate-induced environmental stress is the intensification of competition over scarce natural resources. As productive land shrinks and water sources become increasingly limited, communities that previously coexisted through established patterns of resource sharing are often compelled into competition for survival.¹¹ Across the Sahel region, including northern Nigeria, advancing desertification and changing rainfall patterns have contributed to increasing tensions between farming and pastoral communities. Similar challenges have been observed in Kenya's arid and semi-arid regions, where recurrent droughts have disrupted pastoral livelihoods and heightened competition over grazing routes and water points. These resource conflicts frequently generate displacement, destroy livelihoods, weaken social cohesion, and expose affected populations to new forms of insecurity.

The significance of these developments extends beyond their immediate humanitarian consequences. Resource conflicts and

¹⁰ Samuel O Olayide and others, 'Assessing Climate Change Impacts on Agricultural Productivity and Rural Livelihoods in Sub-Saharan Africa' (2025) 12(2) *Journal of Sustainable Development in Africa* 78, 82-86
<https://www.researchgate.net/publication/392151784_Assessing_Climate_Change_Impacts_on_Agricultural_Productivity_and_Rural_Livelihoods_in_Sub-Saharan_Africa> accessed 16 May 2026.

¹¹ United Nations Environment Programme, *Climate Change and Security Risks: Customary Land Systems and Resource Competition in Africa* (UNEP 2024) 18–22
<<https://www.unep.org/topics/disasters-and-conflicts/environment-security/climate-change-and-security-risks>> accessed 16 April 2026.

environmental displacement often produce conditions that traffickers are uniquely positioned to exploit.¹² Individuals who have lost access to land, livestock, employment, housing, or community support structures frequently experience heightened economic desperation and diminished access to protective institutions.¹³ In such circumstances, promises of employment, education, migration opportunities, or humanitarian assistance may become powerful instruments of deception and exploitation. Climate change therefore does not directly cause trafficking in persons. Rather, it operates as a threat multiplier that intensifies existing vulnerabilities and creates conditions within which exploitation becomes more likely.

Understanding climate-induced trafficking consequently requires moving beyond simplistic environmental explanations. The relationship is mediated through a complex chain of causation in which environmental degradation contributes to resource scarcity, resource scarcity generates conflict and displacement, displacement undermines livelihoods and social protection, and these vulnerabilities increase susceptibility to trafficking. It is within this broader context of climate-related human insecurity that contemporary trafficking risks must be understood.

2.2 Trafficking in Persons and the Abuse of Vulnerability

The internationally accepted definition of trafficking in persons is contained in Article 3(a) of the Palermo Protocol, which defines trafficking as the recruitment, transportation, transfer, harboring, or receipt of persons through specified means for the purpose of

¹² United Nations Office on Drugs and Crime, *The Role of Environmental Degradation and Conflict in Fueling Human Trafficking: Operational Insights* (UNODC Research Brief, May 2024) 6-11 <unodc.org> accessed 18 May 2026.

¹³ Ibid.

exploitation.¹⁴ Although the Protocol identifies a range of coercive and deceptive practices that may constitute trafficking, particular significance attaches to the concept of the abuse of a position of vulnerability. This element provides an important analytical bridge between climate-induced hardship and trafficking in persons.

The notion of vulnerability recognizes that exploitation does not always occur through overt force or physical coercion. Individuals may appear to consent to migration, employment, or relocation opportunities while, in reality, their choices are severely constrained by circumstances beyond their control. Persons who have lost their livelihoods due to drought, flooding, environmental degradation, or resource-related conflicts may find themselves compelled to accept risky employment opportunities or irregular migration arrangements that they would otherwise reject. In such circumstances, apparent consent often masks underlying conditions of desperation that traffickers deliberately exploit.

The concept of abuse of vulnerability is particularly relevant to climate-related displacement. Environmental disasters frequently disrupt access to education, healthcare, housing, employment, and social support networks. Women, children, internally displaced persons, and marginalized communities often face heightened exposure to exploitative labor practices, forced labor, sexual exploitation, domestic servitude, forced marriage, and other forms of trafficking.¹⁵ Consequently, the legal significance of climate change

¹⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (adopted 15 November 2000, entered into force 25 December 2003) 2237 UNTS 319 (Palermo Protocol) art 3(a)

¹⁵ Ogunniyi, D., & Idowu, O. I. (2022). Human trafficking in West Africa: An implementation assessment of international and regional normative standards. *The Age of Human Rights Journal*, 19, 165-185. <https://doi.org/10.17561/tahrj.v19.6851>

lies not in its status as a direct cause of trafficking but in its capacity to create or intensify the vulnerabilities upon which trafficking networks depend.

2.3 Climate Change-Induced Trafficking

Growing scholarly attention has been devoted to the relationship between climate change, migration, and human trafficking. Nevertheless, the concept of climate change-induced trafficking remains relatively underdeveloped within legal scholarship and international legal frameworks. Existing studies generally acknowledge that environmental degradation, natural disasters, and climate-related displacement may increase exposure to exploitation. However, there remains considerable disagreement regarding how climate change should be conceptualized within trafficking discourse.¹⁶

Some scholars caution against treating climate change as a distinct category of trafficking causation, arguing that poverty, weak governance, gender inequality, conflict, and social exclusion remain the principal drivers of exploitation.¹⁷ According to this view, attributing trafficking primarily to climate change risks oversimplifying a complex social phenomenon and obscuring deeper structural inequalities. Other scholars contend that climate change has become sufficiently significant as a vulnerability factor to warrant explicit recognition within anti-trafficking frameworks. They argue

¹⁶ Smith, M.V., 2021. Applying the United Nations trafficking protocol in the context of climate change. *Chi. J. Int'l L.*, 22, p.299.; GRIOTTI, C., The intersection of climate change, forced displacement and human exploitation: assessing the legal gaps and human rights implications in the protection of climate refugees. A case study of Bangladesh.

¹⁷ Ibid.

that the failure to acknowledge climate-related vulnerabilities has created important gaps in prevention, protection, and policy development.

This study adopts a middle-ground position. It does not suggest that climate change constitutes an independent legal category of trafficking. Rather, it argues that climate change has emerged as an important vulnerability multiplier that should be incorporated into existing anti-trafficking frameworks. The legal question is therefore not whether climate change causes trafficking in a direct sense, but whether legal and institutional responses adequately recognize and address the specific patterns of vulnerability generated by environmental degradation, resource conflicts, displacement, and livelihood insecurity. From this perspective, climate change-induced trafficking represents an emerging governance challenge that requires greater integration between climate adaptation, migration governance, human rights protection, and anti-trafficking law.

2.4 Analytical Framework

This study is informed by Human Security Theory and Vulnerability Theory. Human Security Theory challenges traditional state-centric understandings of security by emphasizing the protection of individuals from threats that undermine their survival, dignity, and well-being.¹⁸ Within this framework, environmental degradation, displacement, food insecurity, resource conflicts, and trafficking in persons are viewed as interconnected threats to human security rather than isolated policy concerns. The theory therefore provides a useful lens for understanding why climate change and trafficking should not

¹⁸ Martha Albertson Fineman, 'The Vulnerable Subject: Anchoring a Just Sector in the State' (2008) 20(1) *Yale Journal of Law & Feminism* 1, 8-15 <yale.edu> accessed 16 April 2026.

be regulated through entirely separate legal and institutional frameworks.

Complementing this perspective, Vulnerability Theory focuses on the social, economic, and institutional conditions that determine how individuals and communities experience risk.¹⁹ The theory rejects the assumption that environmental hazards affect all persons equally. Instead, it emphasizes that vulnerability is shaped by factors such as poverty, gender inequality, access to resources, political marginalization, and institutional capacity. Climate-related events become particularly dangerous when they interact with these underlying conditions to undermine resilience and adaptive capacity.

Together, these theoretical perspectives provide the analytical foundation for this article's central argument. They demonstrate that climate-induced trafficking cannot be understood solely as a criminal justice problem or as an environmental issue in isolation. Rather, it is the product of interconnected vulnerabilities that emerge at the intersection of climate change, resource conflicts, displacement, livelihood insecurity, and weak protective institutions. Effective legal responses must therefore move beyond fragmented regulatory approaches and adopt a more integrated framework capable of addressing the structural conditions that facilitate exploitation.

3. INTERNATIONAL AND REGIONAL LEGAL FRAMEWORKS GOVERNING CLIMATE CHANGE-RELATED TRAFFICKING RISKS

3.1 The International Climate Change Regime

The contemporary international climate change regime is principally anchored on the United Nations Framework Convention on Climate

¹⁹ Ibid.

Change (UNFCCC), the Kyoto Protocol, and the Paris Agreement.²⁰ Collectively, these instruments establish the normative framework through which States seek to mitigate greenhouse gas emissions, enhance adaptive capacity, strengthen resilience, and address the adverse impacts of climate change. While these instruments have significantly advanced international climate governance, their engagement with the human consequences of climate change remains limited, particularly in relation to trafficking in persons.

The UNFCCC recognizes climate change as a common concern of humankind and obliges State Parties to develop and implement measures aimed at mitigating climate change and facilitating adaptation to its impacts. The Convention acknowledges the vulnerability of developing countries to the adverse effects of climate change and calls for international cooperation to enhance resilience and adaptive capacity. However, the Convention was negotiated at a time when the relationship between climate change, human mobility, and human exploitation had not yet emerged as a significant legal concern. Consequently, it contains no provisions addressing climate-induced displacement, migration, or trafficking in persons.²¹

The adoption of the Paris Agreement in 2015 marked an important evolution in international climate governance. In addition to establishing ambitious global temperature goals, the Agreement recognizes the importance of safeguarding human rights when addressing climate change. The preamble specifically affirms that

²⁰ United Nations Framework Convention on Climate Change (opened for signature 4 June 1992, entered into force 21 March 1994) 1771 UNTS 107 (UNFCCC); Kyoto Protocol to the United Nations Framework Convention on Climate Change (adopted 11 December 1997, entered into force 16 February 2005) 2303 UNTS 162; Paris Agreement (adopted 12 December 2015, entered into force 4 November 2016) 3156 UNTS 79.

²¹ Ibid.

Parties should respect, promote, and consider their respective obligations relating to human rights, migrants, children, persons in vulnerable situations, and indigenous peoples when taking climate action. This acknowledgement is significant because it provides an indirect normative basis for considering the human rights implications of climate-induced displacement and vulnerability.²²

Notwithstanding this progress, the Paris Agreement remains primarily concerned with mitigation, adaptation, and resilience-building. Although the Warsaw International Mechanism for Loss and Damage established a Task Force on Displacement to address human mobility associated with climate change, its mandate focuses largely on displacement prevention, adaptation planning, and migration governance.²³ It does not specifically address the heightened risks of trafficking, labor exploitation, forced labor, sexual exploitation, or forced marriage that frequently emerge in the aftermath of climate-induced displacement. The practical consequence is that international climate law largely treats displacement as an environmental and humanitarian challenge rather than as a potential pathway to human exploitation.²⁴ As a result, climate governance institutions continue to focus predominantly on adaptation, resilience, and disaster response, while the trafficking risks associated with environmental displacement remain largely invisible within climate policy frameworks.

²² Ibid.

²³ Ibid.

²⁴ UNFCCC, 'Report of the Conference of the Parties on its Twenty-First Session: Adoption of the Paris Agreement' (29 January 2016) UN Doc FCCC/CP/2015/10/Add.1, Decision 1/CP.21, paras 47–51

3.2 International Anti-Trafficking and Human Rights Frameworks

The principal international legal framework governing trafficking in persons is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, commonly known as the Palermo Protocol.²⁵ The Protocol establishes the internationally accepted definition of trafficking in persons and requires States Parties to criminalize trafficking, protect victims, and adopt preventive measures.

Particularly relevant to the present analysis is Article 9 of the Protocol, which requires States to undertake measures aimed at preventing trafficking by addressing the factors that make persons vulnerable to exploitation, including poverty, underdevelopment, and lack of equal opportunity. Although climate change is not expressly mentioned, the broad language employed by the Protocol is sufficiently flexible to encompass climate-induced vulnerabilities arising from displacement, livelihood loss, environmental degradation, and resource conflicts.

Nevertheless, the Palermo Protocol was adopted before climate change emerged as a major concern within trafficking scholarship. Consequently, neither the Protocol nor its preliminary drafting materials explicitly address environmental drivers of vulnerability. The preventive obligations contained in Article 9 therefore remain largely underutilized in relation to climate-induced trafficking risks.²⁶

²⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (adopted 15 November 2000, entered into force 25 December 2003) 2237 UNTS 319 (Palermo Protocol).

²⁶ Ibid

The anti-trafficking regime is reinforced by a broader body of international human rights law. The Universal Declaration of Human Rights prohibits slavery and servitude in all forms. Similarly, the International Covenant on Civil and Political Rights prohibits slavery, servitude, and forced labor, while the Convention on the Elimination of All Forms of Discrimination against Women obliges States to suppress trafficking in women and exploitation of prostitution. The Convention on the Rights of the Child further requires States to protect children from all forms of sexual exploitation, economic exploitation, abduction, sale, and trafficking.

Although these instruments establish important protections for vulnerable individuals, they generally approach trafficking from a human rights and criminal justice perspective. They provide limited guidance on how States should address vulnerabilities arising from environmental degradation, climate-induced displacement, or resource conflicts. Consequently, while international human rights law offers important normative protections, it does not provide a comprehensive framework for addressing the emerging climate-trafficking nexus.

3.3 Regional African Legal Frameworks

At the regional level, Africa has developed a number of legal instruments that are particularly relevant to the relationship between climate change, displacement, and trafficking in persons. Chief among these is the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child, and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).²⁷

²⁷ African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) 1520 UNTS 217; African Charter on the Rights and Welfare of the Child (adopted 11 July 1990, entered into force 29 November 1999) CAB/LEG/24.9/49; African Union Convention

The African Charter prohibits slavery, the slave trade, torture, and degrading treatment, thereby establishing a regional human rights foundation for combating trafficking and exploitation. The African Charter on the Rights and Welfare of the Child reinforces these protections by requiring States to prevent child trafficking, child labor, and other forms of exploitation affecting children.²⁸ Of particular significance is the Kampala Convention, which represents the first legally binding regional instrument specifically addressing internal displacement. The Convention recognizes that natural disasters and environmental factors can generate large-scale population movements and obliges States Parties to prevent displacement where possible, protect internally displaced persons, and provide durable solutions to displacement. Importantly, both Nigeria and Kenya are parties to the Convention.²⁹

The Kampala Convention is especially relevant because it explicitly acknowledges the relationship between environmental degradation, climate change, and displacement. States Parties are required to establish early warning systems, disaster preparedness measures, and mechanisms for protecting persons displaced by natural and human-made disasters.³⁰ The Convention therefore comes closer than any other regional instrument to recognizing the vulnerability pathways through which climate change may expose individuals to exploitation. Despite its significance, however, the Convention does not expressly address trafficking in persons. Its primary focus remains displacement management rather than the prevention of exploitation. While

for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) (adopted 23 October 2009, entered into force 6 December 2012) 3014 UNTS 3.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

internally displaced persons undoubtedly benefit from the Convention's protection framework, the instrument does not establish specific obligations requiring States to assess trafficking risks among displaced populations or to integrate anti-trafficking measures into displacement governance. Beyond the Kampala Convention, various African Union policy frameworks, including Agenda 2063 and the Migration Policy Framework for Africa, recognize the growing implications of climate change for migration, development, and human security.³¹ Nevertheless, trafficking prevention remains largely disconnected from climate adaptation and displacement governance initiatives across the continent.

3.4 Gaps in Existing Legal Frameworks

The foregoing analysis reveals a significant degree of normative and institutional fragmentation within existing legal frameworks governing climate change, migration, and trafficking in persons. On the one hand, international climate law increasingly recognizes displacement, adaptation, and resilience as critical components of climate governance. Similarly, international anti-trafficking law acknowledges the importance of addressing vulnerability as a preventive strategy, while regional African instruments recognize climate-induced displacement as a pressing human security challenge. Despite these developments, however, these legal frameworks continue to operate largely in isolation from one another, resulting in fragmented responses to interconnected problems.

This fragmentation is further reflected at the institutional level. Climate governance institutions remain primarily concerned with mitigation, adaptation, disaster response, and environmental resilience.

³¹ African Union Commission, *Agenda 2063: The Africa We Want* (AUC 2015) 14–18; African Union Commission, *Migration Policy Framework for Africa and Plan of Action (2018–2030)* (AUC 2018) 42–46.

In contrast, anti-trafficking institutions focus predominantly on criminalization, prosecution, victim protection, and law enforcement. At the same time, human rights institutions seek to address vulnerability and exploitation, whereas migration governance frameworks concentrate on regulating human mobility. Consequently, responsibility for addressing climate-induced trafficking is dispersed across multiple legal and institutional regimes, none of which possesses a comprehensive mandate to respond to the phenomenon in its entirety. As a result, although each regime addresses an important dimension of the problem, none adequately captures the complex and interconnected relationship between climate change, resource conflicts, displacement, livelihood insecurity, and trafficking in persons.

The result is a significant protection gap. Populations displaced by drought, flooding, desertification, and climate-related resource conflicts frequently fall within the mandates of environmental, humanitarian, and migration institutions, yet their heightened vulnerability to trafficking often remains unaddressed. Similarly, anti-trafficking agencies typically intervene only after exploitation has occurred, with limited attention devoted to the climate-related vulnerabilities that facilitated exploitation in the first place. This fragmentation is particularly relevant to Nigeria and Kenya, both of which have adopted legal frameworks addressing climate change and trafficking in persons.³² As the subsequent sections demonstrate, the challenge confronting these jurisdictions is not the absence of legal regulation but the absence of effective integration between climate governance and anti-trafficking responses. It is this regulatory

³² Platform on Disaster Displacement, *Silos of Protection: Why Environmental and Anti-Trafficking Frameworks Fail to Intersect in Sub-Saharan Africa* (PDD Secretariat Briefing Paper, November 2024) 14–19.

fragmentation that constitutes one of the most significant weaknesses in existing legal responses to climate change-induced trafficking in persons.

4. CLIMATE CHANGE AND TRAFFICKING VULNERABILITIES IN NIGERIA AND KENYA

4.1 Climate Change and Human Vulnerability in Nigeria

Nigeria is widely regarded as one of Africa's most climate-vulnerable countries. Its geographical diversity exposes different regions of the country to distinct climate-related threats, including desertification, drought, flooding, coastal erosion, and changing rainfall patterns. These environmental pressures have increasingly undermined livelihoods, intensified resource competition, and contributed to large-scale population displacement.³³

In northern Nigeria, advancing desertification and declining rainfall have significantly reduced the availability of arable land and grazing resources. The gradual shrinking of Lake Chad has further compounded these challenges by undermining fishing, farming, and pastoral livelihoods across Borno, Yobe, and Adamawa States. Millions of people who historically depended upon the lake for economic survival have experienced declining incomes, food insecurity, and forced migration. The resulting competition over diminishing natural resources has intensified tensions between farming and pastoral communities, particularly across the North East and Middle Belt regions.³⁴

³³ World Bank, *Nigeria Country Climate Profile: Risk Landscape and Adaptive Capacity* (Climate Change Knowledge Portal, May 2018) 4–8
<https://climateknowledgeportal.worldbank.org/sites/default/files/country-profiles/15918-WB_Nigeria%20Country%20Profile-WEB.pdf> accessed 16 July 2026.

³⁴ Tope Shola Akinyetun, 'Climate Change & Pastoralist Conflicts in the Lake Chad Region' (2023) 9(1) *Journal of Politics and Governance* 34, 38–44
<<https://scholarhub.ui.ac.id/politik/vol9/iss1/2/>> accessed 16 June 2026.

The relationship between environmental stress and resource conflicts has become increasingly apparent in the farmer-herder conflicts that have affected states such as Benue, Plateau, Nasarawa, Kaduna, and Taraba. Although these conflicts are influenced by multiple factors, including governance failures, demographic pressures, and historical grievances, climate change has emerged as a significant contributing factor by reducing access to grazing routes, water resources, and productive agricultural land.³⁵ Consequently, environmental degradation has become intertwined with broader security challenges and patterns of internal displacement.

Flooding represents another significant climate-related threat. Nigeria has experienced increasingly severe flooding over the past decade, with the 2022 floods constituting one of the worst environmental disasters in the country's recent history. The floods affected millions of people, destroyed homes and farmlands, displaced entire communities, and disrupted economic activities across numerous states. For many affected households, displacement resulted not merely in temporary relocation but in prolonged livelihood insecurity and economic vulnerability.³⁶

These developments have important implications for trafficking in persons. Individuals displaced by environmental degradation, resource conflicts, and flooding frequently lose access to traditional support systems and economic opportunities. In such circumstances, migration often becomes a survival strategy. However, migration undertaken

³⁵ Moses Funmi and others, 'Climate Change and Farmers-Herders Conflict in Northern Nigeria: Assessing Resource Scarcity in the Middle Belt' (2025) 11(2) *Wukari International Studies Journal* 145, 151–156
<<https://wissjournals.com.ng/index.php/wiss/article/download/164/151/158>>
accessed 12 June 2026.

³⁶ Ibid.

under conditions of desperation and limited information frequently exposes individuals to deceptive recruitment practices, exploitative labor arrangements, forced labor, sexual exploitation, domestic servitude, and other forms of trafficking. Nigeria's longstanding position as a source, transit, and destination country for trafficking in persons further amplifies these risks. Existing trafficking routes linking Nigeria with North Africa, Europe, and the Middle East provide ready-made channels through which climate-vulnerable populations may be recruited and exploited. Climate change therefore functions as a vulnerability multiplier that reinforces existing trafficking dynamics rather than creating entirely new forms of exploitation.

4.2 Climate Change and Human Vulnerability in Kenya

Kenya presents a different but equally significant illustration of the relationship between climate change and trafficking vulnerability. Unlike Nigeria, where both desertification and flooding play prominent roles, Kenya's climate challenges are particularly pronounced within its arid and semi-arid lands, which constitute the majority of the country's territory.³⁷ Pastoral communities inhabiting counties such as Turkana, Marsabit, Wajir, Garissa, Isiolo, and Mandera are heavily dependent upon rainfall for the sustainability of livestock-based livelihoods. Consequently, recurrent droughts have profound socioeconomic consequences. The prolonged droughts experienced across the Horn of Africa between 2020 and 2023 resulted in extensive livestock losses, food insecurity, population displacement,

³⁷ International Organization for Migration, *'Pastoralism at the Edge': Effects of Drought, Climate Change, and Migration on Livelihood Systems of Pastoralist and Mobile Communities in Kenya* (IOM Kenya 2023) 14–22
<<https://environmentalmigration.iom.int/sites/g/files/tmzbd11411/files/documents/2023-09/pastoralism-at-the-edge-effects-of-drought-climate-change-and-migration-on-livelihood-systems-of-pastoralist-and-mobile-communities-in-kenya.pdf>> accessed 12 June 2026.

and declining household incomes. Many communities experienced the collapse of traditional livelihood systems that had sustained them for generations.³⁸

The effects of drought extend beyond economic hardship. Competition over water points, grazing land, and migration routes has contributed to recurrent resource-based conflicts among pastoral communities. Environmental stress has therefore generated not only livelihood insecurity but also broader human security challenges that increase displacement and social vulnerability. Flooding has similarly emerged as an important climate concern. In recent years, Kenya has experienced severe flood events that have displaced large populations and destroyed infrastructure, housing, and agricultural production. Urban informal settlements have proven particularly vulnerable, exposing already marginalized populations to heightened socioeconomic risks.³⁹

The consequences of these environmental pressures are reflected in patterns of migration and vulnerability. Households affected by drought and environmental degradation often adopt migration as a coping strategy, sending family members to urban Centre's or across international borders in search of employment opportunities.⁴⁰ However, such movements frequently occur under conditions of uncertainty and limited protection.

Women and girls are particularly vulnerable. Studies have documented increases in child marriage, transactional sex, and other harmful coping mechanisms within drought-affected communities. These practices are often linked to economic desperation and the collapse of

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

traditional livelihood structures. Similarly, children displaced by environmental stress face heightened risks of labor exploitation, domestic servitude, and trafficking. Kenya's role as a source, transit, and destination country for trafficking further compounds these vulnerabilities. Existing recruitment networks facilitating migration to the Gulf States and other regions create opportunities for traffickers to exploit climate-induced economic desperation. Consequently, climate change contributes to trafficking risks by intensifying the vulnerabilities that traffickers routinely exploit.

4.3 Comparative Analysis

Although Nigeria and Kenya experience distinct climatic conditions, the comparative analysis reveals striking similarities in the pathways through which climate change increases vulnerability to trafficking in persons. First, in both countries' climate change undermines livelihoods that depend heavily on natural resources. Whether through desertification, drought, flooding, or environmental degradation, affected populations experience declining incomes, food insecurity, and reduced economic opportunities.⁴¹ Secondly, climate-induced resource scarcity contributes to conflict and displacement. Competition over land, water, grazing routes, and other livelihood resources has intensified social tensions in both jurisdictions, resulting in population movements that expose affected individuals to heightened exploitation risks. Thirdly, climate-related displacement frequently weakens social protection mechanisms. Individuals separated from their communities often lose access to traditional support networks, employment opportunities, and institutional protection. This vulnerability creates opportunities for traffickers to

⁴¹ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2024* (UNODC 2024); Radosław L Malinowski and Mario Schulze, *Natural Disaster, Human Trafficking and Displacement in Kenya* (HAART Research Series No 3, Awareness Against Human Trafficking 2017).

exploit affected populations through deceptive recruitment and coercive labor practices.⁴²

Despite these similarities, important differences also emerge. In Nigeria, climate-related trafficking vulnerabilities are closely linked to the interaction between environmental degradation, farmer-herder conflicts, and large-scale flooding.⁴³ In Kenya, the principal drivers are recurrent droughts affecting pastoral communities and the resulting migration patterns associated with livelihood collapse.⁴⁴ These differences suggest that while climate-induced trafficking constitutes a shared challenge, legal and policy responses must be tailored to the specific environmental and socioeconomic realities of each jurisdiction. The comparative evidence therefore supports the central argument advanced in this study that climate change functions primarily as a threat multiplier rather than an autonomous cause of trafficking,

⁴² US Department of State, 2025 Trafficking in Persons Report (US Department of State 2025) <https://www.state.gov/reports/2025-trafficking-in-persons-report/> accessed 17 June 2026; Amoah, E.A., Bloomer, J. and Campbell, T., 2025. Beyond resource scarcity: developing an integrated framework for analyzing farmer-herder conflicts in the Global South. *Pastoralism: Research, Policy and Practice*, 15, p.15245.

⁴³ International Organization for Migration (IOM), *Nigeria Crisis Response Plan 2024–2025* (IOM 2024) 4–5; International Organization for Migration (IOM), *Nigeria Crisis Response Plan 2023* (IOM 2023) 6–8. These reports identify climate-related flooding, environmental pressures, competition over land and water resources, and farmer-herder conflicts as major drivers of displacement and protection risks, including vulnerability to exploitation and trafficking.

⁴⁴ Vincent Mumo Nzilani, 'Drought Spreads Beyond Kenya's Arid North, Plunging Herders into Crisis' (Reuters, 6 February 2026) <https://www.reuters.com/business/environment/drought-spreads-beyond-kenyas-arid-north-plunging-herders-into-crisis-2026-02-06/> accessed 17 June 2026; Rodney Muhumuza, 'Drought Leaves People Hungry in Kenya as Their Livestock Die' (Associated Press, 12 February 2026) <https://apnews.com/article/caaf23270758c6f4cf9013fa18d9aae4> accessed 17 June 2026. Both reports document the effects of recurrent drought on Kenyan pastoral communities, including livestock deaths, food insecurity, resource scarcity, livelihood collapse and migration in search of pasture and water.

amplifying preexisting socioeconomic, environmental, and governance vulnerabilities that increase susceptibility to exploitation. Understanding these vulnerability pathways is essential for assessing whether existing legal frameworks in Nigeria and Kenya adequately respond to the emerging climate-trafficking nexus.

6. TOWARDS AN INTEGRATED LEGAL FRAMEWORK FOR ADDRESSING CLIMATE CHANGE-INDUCED TRAFFICKING IN PERSONS

6.1 Reframing Climate-Induced Trafficking as a Climate Governance and Human Security Challenge

The preceding analysis demonstrates that climate change-induced trafficking cannot be adequately understood through the traditional criminal justice paradigm that has historically dominated anti-trafficking law. While trafficking in persons remains fundamentally a criminal offence requiring investigation, prosecution, and punishment, the conditions that increasingly facilitate exploitation are often created long before traffickers engage with their victims. Climate-induced displacement, livelihood collapse, environmental degradation, and resource conflicts generate structural vulnerabilities that expose individuals and communities to exploitation.⁴⁵ Consequently, legal responses that focus exclusively on criminalization and prosecution address only the symptoms of a broader governance failure rather than its underlying causes.

⁴⁵ International Organization for Migration (IOM), *Climate Chains: Mapping the Relationship between Climate, Trafficking in Persons and Building Resilience* (IOM 2025) 9–15 <https://publications.iom.int/books/climate-chains-mapping-relationship-between-climate-trafficking-persons-and-building-CREATE> accessed 20 June 2026. The study identifies a causal chain through which climate events disrupt livelihoods, increase vulnerability, stimulate migration, and heighten exposure to exploitation and trafficking

This study therefore argues that climate-induced trafficking should be reconceptualized as a human security challenge situated at the intersection of climate governance, migration governance, human rights protection, disaster risk management, and anti-trafficking law. Such a reconceptualization is consistent with contemporary understandings of human security, which recognize that threats to individual wellbeing frequently arise from interconnected economic, environmental, social, and political factors rather than from isolated criminal conduct.⁴⁶ Viewed through this lens, trafficking prevention begins not at the point of recruitment or exploitation but at the point where environmental change generates conditions of vulnerability. The practical significance of this approach lies in its preventive orientation. Rather than waiting for exploitation to occur, governments would be required to identify and address the environmental and socioeconomic conditions that make trafficking possible. Such an approach would represent a significant shift from reactive enforcement towards anticipatory governance.

6.2 Integrating Climate Adaptation and Anti-Trafficking Strategies

A central weakness identified in both Nigeria and Kenya is the absence of meaningful integration between climate adaptation policies and anti-trafficking frameworks. Climate adaptation strategies typically focus on environmental resilience, disaster preparedness, infrastructure protection, and sustainable resource management. Anti-trafficking policies, by contrast, concentrate on criminal enforcement,

⁴⁶ United Nations Trust Fund for Human Security, *Human Security Handbook: An Integrated Approach for the Realization of the Sustainable Development Goals and the Priority Areas of the International Community and the United Nations System* (United Nations 2016) 5–8 <https://www.un.org/humansecurity/wp-content/uploads/2017/10/h2.pdf> accessed 17 June 2026. The Handbook explains that threats to human security are multidimensional and arise from interconnected economic, environmental, social and political factors.

victim protection, and public awareness measures.⁴⁷ Despite their shared concern with human vulnerability, the two policy domains rarely interact. This separation is increasingly untenable. Communities experiencing recurrent droughts, flooding, desertification, and resource conflicts are often the same communities facing heightened risks of labor exploitation, forced migration, child trafficking, and sexual exploitation. Climate adaptation planning should therefore incorporate trafficking prevention as an explicit policy objective.

National Adaptation Plans, disaster risk reduction strategies, climate resilience programmes, and early warning systems should include indicators capable of identifying trafficking risks within climate-affected communities. Disaster response mechanisms should similarly incorporate victim identification procedures and referral pathways linking humanitarian agencies with anti-trafficking institutions. Such integration would enable governments to identify emerging vulnerabilities before they develop into trafficking situations.⁴⁸ Importantly, this approach does not require the creation of entirely new legal regimes. Rather, it requires existing climate governance structures to recognize trafficking prevention as part of their broader responsibility to protect vulnerable populations from the adverse consequences of environmental change.

⁴⁷ Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2022: Impacts, Adaptation and Vulnerability—Contribution of Working Group II to the Sixth Assessment Report* (Cambridge University Press 2022) 9–16, 1170–1178 <https://www.ipcc.ch/report/ar6/wg2/> accessed 17 June 2026; National Climate Change Council, *National Climate Change Action Plan 2023–2027 (Kenya)* (Government of Kenya 2023) 24–36. These instruments emphasize climate resilience, adaptation, disaster preparedness and sustainable resource management as primary adaptation objectives.

⁴⁸ See UNFCCC, *National Adaptation Plan: Technical Guidelines for the National Adaptation Plan Process* (2012) 13–36; UNDRR, *Sendai Framework for Disaster Risk Reduction 2015–2030* paras 19–24; IOM, *Institutional Strategy on Migration, Environment and Climate Change 2021–2030* 18–22.

6.3 Strengthening Legal Protection for Climate-Displaced Persons

The question of vulnerability of displaced populations to trafficking and exploitation has emerged as one of the most pressing challenges at the intersection of climate change, migration, and human rights protection. Whether displacement results from drought, flooding, desertification, resource conflicts, or gradual environmental degradation, affected individuals frequently experience heightened exposure to exploitative labor arrangements and unsafe migration pathways. As discussed earlier in this study, existing international law provides only limited protection for persons displaced by climate change. While instruments such as the Kampala Convention offer important safeguards for internally displaced persons, significant protection gaps remain, particularly where displacement intersects with migration and trafficking risks. National legal frameworks similarly tend to treat displacement primarily as a humanitarian issue rather than as a potential precursor to exploitation.

To address this gap, climate-displaced persons should be expressly recognized as a category requiring enhanced protection within anti-trafficking governance frameworks.⁴⁹ Such recognition would not create a new legal category of trafficking. Rather, it would acknowledge that climate-induced displacement constitutes a

⁴⁹ See Inter-Agency Coordination Group against Trafficking in Persons (ICAT), *Issue Brief 10: Trafficking in Persons in Humanitarian Crises* (United Nations 2022) 6–12; International Organization for Migration (IOM), *Climate Chains: Mapping the Relationship between Climate, Trafficking in Persons and Building Resilience* (IOM 2025) 11–20; UNHCR, *Legal Considerations Regarding Claims for International Protection Made in the Context of the Adverse Effects of Climate Change and Disasters* (2020) 1–5. Collectively, these sources indicate that climate-related displacement increases exposure to exploitation and trafficking, thereby justifying enhanced protection measures for climate-displaced populations within existing anti-trafficking and human protection frameworks.

significant indicator of vulnerability capable of increasing exposure to exploitation. Governments should therefore integrate trafficking risk assessments into displacement management policies, humanitarian assistance programmes, and resettlement initiatives. Particular attention should be directed towards women, children, internally displaced persons, pastoralist communities, and other groups whose vulnerabilities are exacerbated by environmental change.

6.4 Institutional Coordination

The comparative analysis of Nigeria and Kenya reveals that institutional fragmentation constitutes one of the most significant obstacles to effective governance. Climate authorities, migration agencies, disaster management institutions, social welfare departments, labor regulators, and anti-trafficking agencies often operate independently despite addressing interconnected aspects of the same problem. An integrated legal framework therefore requires a whole-of-government approach. Formal coordination mechanisms should be established to facilitate information sharing, joint planning, and collaborative implementation among relevant institutions. Climate-related displacement data should inform anti-trafficking risk assessments, while anti-trafficking agencies should participate actively in climate adaptation and disaster response planning.⁵⁰

Inter-agency coordination is particularly important because trafficking risks often emerge during periods of crisis when multiple institutions are simultaneously engaged. Effective prevention requires timely information exchange and coordinated interventions capable of

⁵⁰ International Organization for Migration (IOM), *Climate Chains: Mapping the Relationship between Climate, Trafficking in Persons and Building Resilience* (IOM 2025) 21–27 <https://publications.iom.int/books/climate-chains-mapping-relationship-between-climate-trafficking-persons-and-building-CREATE> accessed 22 June 2026. The report recommends integrating climate-related mobility and vulnerability data into trafficking prevention strategies and broader resilience planning.

addressing vulnerabilities before exploitation occurs. In both Nigeria and Kenya, existing institutional structures provide a foundation upon which such coordination could be developed. What is presently lacking is not institutional capacity but a legal mandate requiring agencies to collaborate around shared vulnerability assessments and preventive objectives.⁵¹

6.5 Mainstreaming Human Rights and Socioeconomic Protection

A further implication of the climate-trafficking nexus is the need to strengthen socioeconomic rights protection as a preventive anti-trafficking strategy. The comparative evidence demonstrates that climate-related vulnerabilities are frequently mediated through poverty, unemployment, food insecurity, inadequate housing, limited access to education, and weak social protection systems. Addressing these vulnerabilities requires a rights-based approach grounded in international human rights law.⁵² States possess obligations not merely to prosecute traffickers but also to protect individuals from foreseeable risks of exploitation. This duty becomes particularly important where environmental degradation predictably undermines livelihoods and increases vulnerability among identifiable populations.⁵³

⁵¹ United Nations, *Global Compact for Safe, Orderly and Regular Migration*, UNGA Res 73/195 (19 December 2018) paras 15, 23 and 44; United Nations Office for Disaster Risk Reduction (UNDRR), *Sendai Framework for Disaster Risk Reduction 2015–2030* paras 19, 27 and 36. These instruments identify policy coherence, institutional coordination, information sharing and collaborative governance as essential components of effective responses to complex vulnerabilities associated with climate change, displacement and human mobility.

⁵² Office of the United Nations High Commissioner for Human Rights (OHCHR), *Frequently Asked Questions on Human Rights and Climate Change* (United Nations 2021) <https://www.ohchr.org/en/climate-change/frequently-asked-questions-human-rights-and-climate-change> accessed 26 June 2026.

⁵³ Committee on Economic, Social and Cultural Rights (CESCR), *Climate Change and the International Covenant on Economic, Social and Cultural Rights*, Statement adopted on 8 October 2018, UN Doc E/C.12/2018/1, paras 5–9

Consequently, climate adaptation policies should incorporate measures aimed at strengthening livelihood resilience, food security, access to education, healthcare provision, social protection, and sustainable employment opportunities. Such interventions are often regarded as development policies. However, within the context of climate-induced trafficking, they also perform an important preventive legal function by reducing the vulnerabilities upon which traffickers depend.⁵⁴ A rights-based framework therefore bridges the traditional divide between climate governance and anti-trafficking law by recognizing that human dignity, social protection, and resilience are central objectives of both regimes.

6.6 Regional and International Cooperation

The transboundary nature of climate change and trafficking necessitates cooperation beyond the national level. Climate-induced migration frequently transcends national borders, while trafficking networks commonly operate across multiple jurisdictions. Isolated national responses are therefore unlikely to provide adequate protection. At the regional level, African institutions possess significant opportunities to promote policy coherence. The African Union, ECOWAS, and the East African Community should integrate trafficking prevention into climate adaptation strategies, displacement governance frameworks, and regional migration policies. Existing early warning systems designed to monitor climate risks and

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/e-c1220181-climate-change-and-international> accessed 26 June 2026.

⁵⁴ International Organization for Migration (IOM), *Climate Chains: Mapping the Relationship between Climate, Trafficking in Persons and Building Resilience* (IOM 2025) <https://publications.iom.int/books/climate-chains-mapping-relationship-between-climate-trafficking-persons-and-building-CREATE> accessed 26 June 2026.

population movements could be expanded to incorporate trafficking vulnerability indicators.⁵⁵

Similarly, regional anti-trafficking initiatives should recognize climate change as an emerging driver of vulnerability and develop corresponding prevention strategies. Such measures would strengthen the implementation of both the Kampala Convention and broader continental commitments relating to human security and sustainable development. At the international level, greater coordination is required between climate institutions, migration governance frameworks, human rights bodies, and anti-trafficking mechanisms. The current separation between these regimes contributes significantly to the normative fragmentation identified throughout this article. Enhanced institutional dialogue would facilitate the development of more coherent responses to the growing risks associated with climate-induced vulnerability.⁵⁶

6.7 The need for a Preventive Legal Paradigm

Ultimately, the central argument advanced in this article is that climate change has exposed the limitations of traditional anti-trafficking

⁵⁵ African Union Commission, *Migration Policy Framework for Africa and Plan of Action (2018–2030)* (African Union 2018) <https://au.int/en/documents/20180627/migration-policy-framework-africa-and-plan-action-2018-2030>; African Union, *Agenda 2063: The Africa We Want* (2015) <https://au.int/agenda2063/overview> accessed 26 June 2026. These instruments advocate integrated approaches to migration governance, human security, development and regional cooperation.

⁵⁶ United Nations, *Global Compact for Safe, Orderly and Regular Migration*, UNGA Res 73/195 (19 December 2018); African Union Commission, *Migration Policy Framework for Africa and Plan of Action (2018–2030)* (2018); Walter Kälin and Nina Schrepfer, *Protecting People Crossing Borders in the Context of Climate Change: Normative Gaps and Possible Approaches* (UNHCR 2012). Collectively, these authorities recognize that climate change, migration, displacement and human vulnerability are governed through overlapping but insufficiently coordinated legal regimes, thereby necessitating greater institutional cooperation and policy coherence at regional and international levels

approaches. Legal frameworks designed primarily around criminalization and prosecution remain indispensable but are increasingly insufficient in a context where environmental change is generating new patterns of vulnerability.⁵⁷ Effective prevention requires a broader legal paradigm that recognizes trafficking as the culmination of interconnected environmental, economic, social, and governance failures. Such an approach does not diminish the importance of criminal accountability. Rather, it complements enforcement by addressing the conditions that enable exploitation to occur.

The future effectiveness of anti-trafficking law in an era of accelerating climate change will therefore depend upon its ability to move beyond reactive interventions and embrace preventive governance. Integrating climate adaptation, human rights protection, migration governance, disaster risk management, and anti-trafficking law offers a pathway towards such a framework. By addressing vulnerability before exploitation occurs, an integrated legal approach provides a more sustainable and effective response to the emerging challenge of climate change-induced trafficking in persons.

7. CONCLUSION

This study has examined the adequacy of legal responses to climate change-induced trafficking in persons through a comparative analysis

⁵⁷ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (adopted 15 November 2000, entered into force 25 December 2003) 2237 UNTS 319 arts 2 and 5; United Nations Office on Drugs and Crime (UNODC), *Global Report on Trafficking in Persons 2024* (United Nations 2024) <https://www.unodc.org/unodc/en/data-and-analysis/glotip.html> accessed 26 June 2026. These instruments demonstrate the central role traditionally assigned to criminalization, prosecution and law-enforcement responses within anti-trafficking governance.

of Nigeria and Kenya. It has shown that climate change increasingly contributes to displacement, livelihood insecurity, environmental degradation, resource conflicts, and irregular migration, thereby creating conditions that heighten vulnerability to trafficking and other forms of exploitation. Although climate change does not directly cause trafficking, it functions as a threat multiplier that deepens existing socioeconomic vulnerabilities and weakens traditional protection mechanisms. The analysis demonstrates that resource scarcity occupies a central place within the climate-trafficking nexus. Across both Nigeria and Kenya, environmental pressures have intensified competition over land, water, and other livelihood resources, contributing to displacement, social instability, and migration patterns that expose vulnerable populations to exploitation. These developments underscore the growing interconnection between climate change, human mobility, human security, and trafficking in persons. The comparative assessment further reveals that both countries have established significant legal and institutional frameworks addressing climate change and trafficking. Dedicated climate legislation, specialized institutions, anti-trafficking laws, and victim protection mechanisms provide an important foundation for addressing these challenges. Nevertheless, the article finds that existing legal responses remain inadequate to effectively confront climate-induced trafficking. This inadequacy stems not from a lack of legislation but from the persistent fragmentation of climate governance, migration management, human rights protection, and anti-trafficking frameworks. While climate governance regimes focus primarily on adaptation, mitigation, and environmental resilience, anti-trafficking frameworks remain largely concerned with criminalization, prosecution, and post-exploitation protection. Consequently, the vulnerabilities generated by climate-induced displacement, livelihood collapse, and resource conflicts are rarely incorporated into anti-trafficking strategies. Existing responses therefore remain

predominantly reactive rather than preventive. The study argues that climate-induced trafficking should be understood not merely as a criminal justice issue but as a broader human security challenge situated at the intersection of climate change, migration, and human rights. Effective prevention requires integrated legal and institutional responses capable of addressing the structural vulnerabilities that facilitate exploitation before trafficking occurs. This necessitates stronger protection for climate-displaced persons, greater institutional coordination, enhanced socioeconomic resilience, and the mainstreaming of trafficking prevention within climate adaptation and disaster-response policies. The study therefore concludes that the current legal frameworks in Nigeria and Kenya are insufficiently equipped to address the realities of climate-induced trafficking in persons. Unless climate governance and anti-trafficking regimes are integrated within a coherent and preventive framework, legal responses will continue to address the consequences of exploitation while neglecting its underlying drivers. The integration of climate governance and anti-trafficking law is therefore not merely a policy preference but an emerging legal imperative for climate-vulnerable states seeking to provide effective protection for populations at risk.