

DESK REVIEW FOR THE PROGRAMME OF ACTION AGAINST
TRAFFICKING IN MINORS AND YOUNG WOMEN FROM NIGERIA INTO
ITALY
FOR THE PURPOSE OF SEXUAL EXPLOITATION

UNICRI/UNODC PROJECT ON TRAFFICKING
WITH FUNDING FROM ITALIAN GOVERNMENT

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ACRONYMS

GPI:	GIRLS POWER INITIATIVE
IACJL:	INTERNATIONAL ASSOCIATION OF CRIMINAL JUSTICE LAWYERS
IMF:	INTERNATIONAL MONETARY FUND
IOM:	INTERNATIONAL ORGANISATION FOR MIGRATION
MATP:	MOVEMENT AGAINST TRAFFICKING IN PERSONS
NCWSC:	NATIONAL COUNCIL FOR WOMEN SOCIETY
UNICEF:	UNITED NATIONS INTERNATIONAL CHILDREN EDUCATION FUND
UNICRI:	UNITED NATIONS INTER-REGIONAL CRIME AND JUSTICE RESEARCH INSTITUTE
UNODC:	UNITED NATIONS OFFICE ON DRUGS AND CRIME
WOCON:	WOMEN CONSORTIUM OF NIGERIA
WOTCLEF:	WOMEN TRAFFICKING AND CHILD EDUCATION FUND

CONTENTS

Introduction

- Chapter 1 The Legal Framework on Trafficking in Persons**
- i. International, Regional, and National Mechanisms for the Prevention of Trafficking in Persons
 - ii. The Proposed Bill on Trafficking in Persons
- Chapter 2 Trafficking from Nigeria to Italy for Sexual Exploitation: The Nigerian Experience**
- i. The nature of organized crime of trafficking
 - ii. Causes for Trafficking and the Social Question
 - iii. Stories from Benin
- Chapter 3: Tackling the Crime of Trafficking, Challenges and Constraints**
- i. The Nigerian Government Initiatives
 - ii. Civil Society Initiatives
 - iii International Donors’ Assistance
 - iv. Challenges and Constraints
- Chapter 4: Conclusion**

Introduction

Trafficking in women and girls for the purpose of economic and social exploitation and other contemporary forms of slavery are serious violations of human rights. It is not only a national problem but also a social problem that has assumed transnational dimensions in a global world where feminization of poverty has become the order of the day.

It is transnational in nature because of the involvement of organized syndicates who specialize in trading in women and children from one country to the other. More specifically, from developing countries to the more developed countries in the west such as Italy, Netherlands, Sweden, and United States of America.

Statistics have shown that compared with the slave trade, trafficking in women and children in the 21st century may be child's play. In Africa, it is estimated that over five hundred thousand women and children have been trafficked while in Nigeria alone over eight thousand six hundred and thirty three trafficked persons has been deported back to the country between 1999 to 2001 according to reports from the Police Desk office on Trafficking¹. This figure excludes those who are still in Europe and those who have been killed while on transit. In 2001, the Nigerian Embassy in Italy reported that there are about 10,000 Nigerian prostitutes in Italy while about 800 of them have been deported between 1999 and 2000².

¹ D.A.D. GIMBA, Assistant Commissioner of Police in charge of Human Trafficking, in her paper titled "Preventing and Combating Trafficking in Human Beings using the Palermo Protocol".

² H.E Dr. Giovanni Germano, Ambassador of Italy to Nigeria at Speech delivered during the All African Conference in February 2001 at the Sheraton Hotel and Towers Abuja.

The purpose of the project is to prevent incidents of trafficking in both countries. This will be done through the creation of best practices and development of action plans that will gradually lead to reduction in the number of trafficked persons to Italy. The lessons learnt from this project would be adapted with necessary modifications to other areas and geographical zones in Nigeria and Italy.

Chapter One

The Legal Framework on Trafficking in Persons

i. International, Regional, and National Mechanisms for the Prevention of Trafficking in Persons

At the international level, Nigeria and Italy are signatories to a number of relevant international conventions on Trafficking in Persons. These include:

The ILO Convention on Forced Labor and Minimum Wage (1999)³ which recognizes child trafficking as one of the worst forms of trafficking and describes it as “all forms of slavery practices similar to slavery, such as the sale and trafficking of children, debt bondage, serfdom, forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict”. It calls for action on the member states to eliminate such practices.

The Convention on the Rights of the Child (CRC 1989)⁴ urges State Parties to take all appropriate national, bilateral, and multilateral measures to prevent the abduction, sale of, or traffic in children for any purpose or in any form while article 32 protects the right of the child to

³ ILO Convention No.182, article3a.

⁴ Article 35.

be protected from economic exploitation. **The Optional Protocol to the CRC⁵ on the sale of Child, Child Prostitution and Child Pornography** reaffirms the values of the CRC and defines Trafficking in Minors in Article 2a as ‘any action or transaction that transfers a child from one person or group of persons to another for remuneration or for any other benefit’’. It also criminalizes any act that offers, delivers, or accepts, by whatever means, a child for the purpose of sexual exploitation, transfer of organs of the child for profit, or engagement of the child in forced labor.

The Universal Declaration on Human Rights (1948)⁶.

The Convention on the Elimination of All Forms of Discrimination Against Women⁷. This legislation obliges State Parties to take all appropriate measures including legislation, to suppress all forms of trafficking in women for prostitution. **The Vienna Declaration and Programme of Action⁸** addresses the issue of trafficking as a form of gender based violence and called for its elimination through international cooperation in such fields as economic, social development and through national legislation.

The Protocol To Prevent, Suppress, And Punish Trafficking In Persons, Especially Women And Children, supplementing the United Nations Convention Against Transnational Organized Crime (hereinafter called the Trafficking Protocol)⁹. The Protocol’s definition of trafficking provides useful guidance for law reform and criminalization of

⁵ General Assembly Resolution of 25 May 2000, entered into force on 18 January 2002.

⁶ Adopted by UN General Assembly Res. 217 A III on December 1948.

⁷ Entered into force in September 1981.

⁸ Program of Action adopted in 1993 on the indivisibility of human rights.

⁹ General Assembly Resolution 54/129 of 15 November 2000.

trafficking¹⁰. It also urges states to take measures to combat and prevent incidents of trafficking. Nigeria as a member of the United Nations have the duty and responsibility to provide protection for trafficked persons, most of whom are women and children as identified in the Slavery Convention supplemented by the Convention on the Abolition of Slavery, the Trade, Institutions, and Practices similar to Slavery¹¹.

The Regional Mechanism

At the regional level, Nigeria has also ratified or signed the following instruments aimed at suppressing trafficking in persons such as **The African Charter on Human and Peoples' Rights, and The Protocol on the Rights of Women in Africa**¹². The Draft Protocol in Article 3(b) states that State Parties shall adopt all measures to prohibit any exploitation and degradation of women. It urges State Parties to protect girls and women against rape and all other forms of violence, including trafficking of girls and women¹³.

The African Charter on the Rights and Welfare of the Child¹⁴ commits all state signatory to take appropriate measures to prevent the abduction, sale, and traffic in children for any purpose in any form, by any person including parents or legal guardians of the child.

The ECOWAS Declaration and a Plan of Action Against Trafficking in Persons¹⁵. The plan of action was adopted in a summit held in Dakar. It calls for a ratification of the Trafficking Protocol by all state Parties. Member States have committed themselves to criminalize

¹⁰ See Article 3a for definition of trafficking and 3C on what constitutes trafficking in minor.

¹¹ 1956 UN Convention.

¹² Adopted in 1981 and Entered into force in 1986.

¹³ Article 4c.

¹⁴ Article XXIX (a).

trafficking in persons, protect and support trafficked persons, promote awareness raising activities and establish cooperation for law enforcement officials at the border, share data amongst ECOWAS countries and the UN. It is hoped that Declaration and Plan of Actions would lead to regional cooperation on trafficking.

The Libreville 2000 Common Platform of Action¹⁶. This Platform of Action developed as a result of a sub-regional consultation to develop strategies to fight child trafficking in West and Central Africa organized by UNICEF and ILO. The Platform of Action is seven strategies developed at this consultative meeting. These strategies, as observed by UNICEF will require action at all levels and by different institutions. They include:

- Advocacy and awareness raising efforts to reinforce social regulation mechanisms within communities.
- Establishment of an appropriate legal and institutional framework on trafficking.
- Enhanced knowledge about, and monitoring of, child trafficking through decentralized and flexible mechanisms.
- Strengthening of cooperation between governments of different countries.
- Strengthening of cooperation between government ministries.
- Ensuring implementation and follow up.

The National Mechanism

¹⁵ Adopted in Dakar, December 2001.

¹⁶ Meeting held in Libreville, Gabon in 2000.

In Nigeria at present, there are no specific laws against trafficking, however, various enactments and statues exist, which protect the citizens from abuse, forced labor and kidnapping. Legal experts have criticized these enactments as not being stringent enough.

- **The Criminal Code applicable in the Southern part of the Country**¹⁷
- **The Penal Code as applicable in the Northern part of the Country**¹⁸
- **The Labor Act**¹⁹
- **The Nigerian Constitution**²⁰
- The National Assembly is currently reviewing a **Bill on Anti-Trafficking and Child Labor**²¹.

The 1999 **Constitution of Federal Republic of Nigeria** provides for the respect and dignity of human person as follows:

- 34(1) Every individual is entitled to respect for the dignity of his person, and accordingly,*
- a. No person shall be subjected to torture or to inhuman treatments or to degrading treatments.*

 - b. No person should be held in slavery, and*

¹⁷ Cap 42 laws of the federation of Nigeria 1990, sections 223-225.

¹⁸ Cap 89 laws of Northern Nigeria 1963, sections 275-281.

¹⁹ Cap 198 Laws of the Federation of Nigeria 1990.

²⁰ 1999 Constitution Sections 34 and 42.

²¹ The National Assembly passed these Bill in February 2003, however it is presently awaiting assent by the Executive.

c. *No person shall be required to perform forced or compulsory labor*

In the penal code laws that are applicable to Northern Nigeria, there are provisions on the trafficking of women and girls for immoral purposes or sexual exploitation, Section 275 reads and I quote:

“Whoever, by any means whatsoever, induces a girl under the age of eighteen years to go from any place or to do an act with intent that the girl maybe, or knowing that it is likely that she will be forced or seduced to illicit intercourse with another person shall be punished with imprisonment which may extend to ten years and shall be liable to a fine”.

This section 275 takes care of minor and young adults, whilst section 281 takes care of women of any age, it also states thus:

“Whoever, in order to gratify the passion of another person, procures entices or leads away with her consent, any woman or girl for immoral purpose, shall be punished with imprisonment which may extend to seven years or shall be also liable to a fine”.

Other provisions ranging from abduction to kidnapping exist in both the criminal and penal code. Under the criminal code, there are additional provisions relating to procurement, keeping of brothels and prostitution.

At the State level, efforts have been made to legislate on this issue, particularly by the government of Edo state, where most of the women who are trafficked to Italy originate. They include:

- **Edo State Legislation banning all forms of prostitution²²** criminalizes the act of prostitution. This new legislation provides that any person who sponsors a girl or a woman by giving her financial, physical or material assistance to enable her travel out of Nigeria for the purpose of being a prostitute or to carry out any immoral act will be held guilty. Section 223 also includes any person who administers oath on a woman or girl or performs any fetish ritual in order to enable her travel out of Nigeria for the purpose of becoming a prostitute or to have unlawful carnal knowledge with any person as being guilty of crime of trafficking and prostitution.

- **Anambra State banned children working during school hours**

- **Cross-Rivers state recently passed a bill outlawing Child Marriage**

- **Governors from the 19 Northern States commenced debates to ban Child hawking, Child Street beggars, and Prostitution**

ii. The Proposed Bill on Traffic in Persons

²² Edo State Criminal Code (Amended law 2000) Sections 223a-223d.

The Bill, which is currently before the National Assembly, has passed the third reading and would soon become a law. The Bill seeks to do the following in order to further strengthen the legal mechanisms currently in place for the suppression and prevention of trafficking in persons:

- To establish a national agency that will respond to trafficking in persons
- Enforce and administer the laws on trafficking
- Investigate and prosecute persons suspected to be engaged in trafficking in persons
- Coordinate the reintegration and counseling of trafficked persons
- Attend to other matters related to the main objectives of the Bill.

The bill will take care of witnesses, compensation of trafficked persons, confiscation of ill-gotten wealth from sponsors and collaborators. This Bill would provide a proactive mechanism in the enforcement of violation of this crime against humanity.

Chapter Two

Trafficking from Nigeria to Italy for sexual Exploitation: The Nigerian Experience.

i. The nature of organized crime of trafficking

Trafficking in human being is an age-old practice formerly known as the Slave Trade that saw millions of Africans being transported to Europe to work in the mines and plantations. In those days, slavery was legal and in fact sanctioned by the colonial government. However, with the intervention of the international community represented by the League of Nations and later the United Nations, slave trade came to an end. It is therefore ironical to see that the same Africans who were freed from slavery have resorted to trading their own brothers, sisters and children into a new form of slavery now known as trafficking for want of better word. The new form of slavery thrives on women and minors between the ages of 14-25. They are taken to Europe and the USA for commercial exploitation under the guise that they will be employed and earn hard currency.

Going by the definition in the Trafficking Protocol, which reads thus-

‘The recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or a position of vulnerability or of the giving or the receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of

exploitation...” those involved in the vicious circle of trafficking would include the recruiters, sources of victims, travel document procurer, transporters, brothel owners, employment agencies, brothers, sisters, and often times parent...It is clear from the above definition that human trafficking involves the enslavement of women and children for economic exploitation. They are thus subjected to prostitution and other forms of crime, which include drug peddling, forced labor and sometimes-outright sale. The unsuspecting person or their parents and relatives pay huge sums of money to organized syndicates to ferry them through whatever means is available to their final destination in Italy.

In Benin City, Nigeria, where predominant number of women and minors who are trafficked to Italy originate from, this degrading trade in human being involves men and women who are called ‘ITALO SPONSORS’. They live in Nigeria and Europe and travel periodically to Nigeria to recruit women from Benin. They have middlemen whose role is to convince the parents of the trafficked person of the need to allow their daughter to go to Europe in search of a better life. The trafficked persons are usually with or without secondary education and are either employed or unemployed. Some times, the parents or relatives are meant to sign agreement or submit collateral in case their daughter runs away or dies on transit.

The women who are lured into this activity are often promised that their economic condition will improve overnight once they get to Europe. In order to make sure the women don’t reveal the traffickers and to further enslave them, traffickers are made to undergo rites of passage that involve the administration of oaths and other fetish practices. Thereafter travel documents are procured for them through travel agencies and corrupt immigration officials. In the past, they used to go to Europe by air but in recent times with the crack down by international police, the

traffickers have resorted to the use of other West African routes where they procure and secure travel documents of these countries in order to assume the citizens of those countries for easy access into countries of destination. This practice is reportedly prevalent in Nigeria-Benin-Togo-Ghana route and Mali too.

For some, it is a case of traveling through deserts with different means of transportation until they get to Italy. They have agents on all the routes that lead the trafficked persons across the border nations. All of them are not so lucky as some are known to have died while on transit. Once they are able to make it to Italy, they are distributed to areas where their services are in demand. Before distribution, the Madame of the apartments where they are accommodated set the condition for engagement and remittance of proceeds from the trafficked woman's new trade of prostitution. The amount demanded range from \$20,000-\$45,000 (~~₦2M-₦4M~~).²³ As collateral and to ensure the trafficked persons do not run away or report to law enforcement officials, their travel documents are seized and they are threatened with deportation once they complain of the imposition of the trade of prostitution or the need to remit every dime they make from such a trade.

ii. Causes for Trafficking and the Social Question

In determining the causes of trafficking with particular emphasis on the route between Italy and Nigeria, one must discuss it from a historical perspective. One question that is often asked is why and how did the young women in Benin City came to get involved in this crime? The answer to

²³ Mrs. A.J. Ojomo, fwc, Assistant Inspector of Police in her paper titled "International Investigation on Trafficking in Human Beings: Trends, Prospects and Problems".

this question is neither here nor there, as many attempts have been made to locate the causes of trafficking to crave for material things and peer pressure. Some analysts of the prevailing situation in Benin City where, most families have tacitly or covertly supported traffickers have attributed it to abject poverty, which became acute in the early 1980s. The 80s saw the introduction of Structural Adjustment regime in the management of the Nigerian Economy by World Bank/IMF. This policy led to the loss of many jobs by Nigerians, broken homes and feminization of poverty. Women became breadwinners and the whole family and relatives increasingly looked up to them to provide their daily needs. This change in gender role, even though should be applauded as a positive step in advancing the women's position in the home, did not go down well with the men. Rather, it became an opportunity to desecrate women hood in the guise of better employment opportunity in Europe. The effect of the search for better employment to take care of the needs of the family led to the desire by most of these young women to become part of the lucrative and flourishing trade of trafficking. For some of the women who are too old to embark on the journey to Italy, they send their daughters or resort to act as recruiters for the syndicates.

While the economic factor highlighted above is just one element in the causal relation for trafficking, other opportunities that motivate the desire to migrate to Europe highlighted by analysts include:

- Ineffectiveness of societal norms and values –weakened family nets and ignorant parents.
- Low level of education, inadequate training and, employment opportunities.
- A strong desire to migrate in search of economic and social wellbeing.

- A high demand for trafficked persons in Europe.
- Non-availability of adequate legislation on human trafficking; where available, the legislation is not stringent enough to deter traffickers.
- The erroneous belief by victims that the streets of most European countries and America are laced with Euro and Dollars.
- The involvement of international organized crime groups, which have found trafficking in human beings lucrative and less cumbersome compared to drug and arms trafficking.
- Limited capacity of law enforcement agencies at the Borders to restrain the syndicates.
- Poor reporting and monitoring of cases by law enforcement officer.

By and large, it is often difficult to assign causes to social problem. This is because as sociologists would say, a social problem is invariably a product of multiple facts and it may be difficult to determine their importance with regard to the effect.

iii. Stories from Benin

Stories have it that the first set of women that left Benin for Italy came back with so much foreign currency. They bought big cars and built big houses for their parents. This created a pattern and parents now wish their daughters could and should be like those women. This trend, I was told, formed the beginning of the organized trafficking syndicates in Benin today²⁴.

²⁴ Mrs. Nwadialo, Deputy Superintendent of Police, Officer in Charge of Trafficking in Edo State, in her report on activities of Police in the fight against trafficking in Benin, Nigeria, February 2003.

Another story from a Benin lady that was interviewed stated that the problem with the trafficking is that police doesn't prosecute the Barons and local traditional rulers who are guilty of conspiracy. She stated that almost every Benin person knows the Barons. They are often seen at Burial ceremony dancing and distributing money indiscriminately. Their names are often mentioned in local records as "ITALO SPONSORS". It is therefore surprising to her that police officers often claim they do not know who these people are because in most cases it very obvious.

For another person interviewed, an officer of the Trafficking Unit in Edo Police Commission said that it is difficult to arrest or even prosecute the Barons because complainants and witnesses are not willing to testify against them in the court for fear of being assassinated. The Benin people are disturbed about the activities of the unit in unraveling trafficking cases; hence they are uncooperative, hostile and unwilling to give out information. It is also interesting to hear her report on the new mode employed by the traffickers to cover up their tracks and evade the new state edict against trafficking. This includes employing a lawyer to draft an agreement between the trafficker and the trafficked person's relation. The agreement is called 'Loan Agreements' or 'Sale of Properties agreement'. This presents greater challenges to the Nigerian government. As the syndicates become even more sophisticated in evading legislations, there is need for a more proactive response on the part of the international community and even more so on the part of the law enforcement officials²⁵.

²⁵ Mrs. Nwadialo, Deputy Superintendent of Police, Ibid page 7.

Chapter Three

Tackling the Crime of Trafficking, Challenges and Constraints

i. The Nigerian Government Initiatives

In response to the challenges posed by this heinous crime, the government of Nigeria acted immediately by setting up a task force on human trafficking in the Police Force and in the Immigration Department in 2001. In the same year also, the Office of the Special Assistant was created in the Office of the President. The task force is charged with the following responsibilities, which incidentally have covered the objectives of the Protocol on Trafficking in Persons:

- The investigation and prosecution of cases of human trafficking and other related offences.
- Documentation, screening, and release of deportees to their State Liaison Offices for the purpose of rehabilitation and reintegration with their families. The documentation and screening of victims of human trafficking is considered as one of the most important methods of gathering information from the victims, how they left the country and their sponsors.
- Liaising with NGOs who are working on the rehabilitation of deportees.
- Enlightenment of the public and informing the deportees on the hazards of prostitution and the modern slavery christened “Human Trafficking”.

- Liaising with other security Agencies, ministries and Embassies on matters relating to human trafficking.
- Gathering of information on traffickers and their modus of operation.
- Working jointly with security agencies and ministries in the evacuation of victims of Human Trafficking.
- Attendance to Interpol Conferences, where joint actions are mapped out on the eradication of human trafficking and formulation of “manual of best practices” for the use of the Police on investigation of cases of human trafficking.
- Police Anti-Trafficking Desk offices have been set up in ten States of Nigeria classified as source and route States. This would enhance the performance of the police, as these units are now closer to the source of recruitment and information. Efforts are now being made to facilitate joint boarder patrol aimed at intercepting traffickers whilst departing from the country.
- The proposed Bill on Anti-Trafficking and Child Labor, which is before the National Assembly.
- The setting up of the Office of the Special Assistant to the President on trafficking.
- The moral and material support given to Civil Society Organizations advocating against Trafficking. (Federal Government support to IOM in providing a building to be refurbished as shelter for deported trafficked persons in Lagos).
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ii Civil Society Initiatives

Since 1999, when the former Nigerian Ambassador to Italy, Judith Attah added her voice to the growing profile of trafficked Nigeria young women in Italy, and the brutal murder of Serbe in the hands of Belgium immigration officers when she was about to be deported from Brussels, civil society interest on trafficking became sensitized on the evils of trafficking. A number of civil society organizations are now working in collaboration with government agencies, donor communities, and trafficked persons. Most of them try to create awareness in local communities on the evils of trafficking while others provide shelter and skills acquisition opportunities to deported persons. Some of them include, WOTCLEF, WOCON, IDIA RENAISSANCE, INTERNATIONAL ASSOCIATION OF CRIMINAL JUSTICE LAWYERS, MOVEMENT AGAINST TRAFFICKING IN PERSONS, NCWSC, GIRLS POWER INITIATIVE and a host of others not mentioned here. Activities of some of the CSOs are highlighted below:

Idia Renaissance:

The Edo State Governor's wife, Nowa Omorogbe is the Executive Director of Idia Renaissance. The NGO was created in July 2000. It deals mainly with a mixture of returnees from Europe whom are victims of Trafficking and vulnerable members of the society. Idia Renaissance offers shelter and assistance to repatriated girls infected with HIV/AIDS. Major activities are grassroots level public awareness campaign, seminars and workshop and advocacy for legislation regulating crimes related to human trafficking.

Sisters of Sacred Heart, Benin City:

Rev. Sister Florence Director manages this religious based organization. Since late 2001, the nuns has helped 30 girls to reintegrate back into the society by providing information on their family, counseling and shelter for a 12 months period after which the repatriated girls are

considered to be autonomous and self sufficient. The first phase, which consists in tracing the family, is the most delicate. The families have to be prepared to receive their daughter back, because of the societal stigma of having a daughter who has been living as a prostitute. Sisters of Sacred Heart plans to set up a shelter which could give them the chance to facilitate the reintegration process, providing more privacy and protection to trafficked persons.

WOTCLEF:

Her Excellency Titi Abubakar, and wife of the Nigerian Vice President founded the NGO. It was set up in 1999 with the main objective of creating awareness on issues of trafficking and to get the Government and the Nigerian people to acknowledge that trafficking is becoming a social problem that must be promptly tackled. It is to their credit that the Office of the Special Assistant on Trafficking, and the Police Department on Trafficking was created. Additionally they assisted in developing the Bill Against Trafficking in Persons that is presently before the National Assembly. They organized the Pan- African Conference on Trafficking and within the mandate of the plan of actions established at that conference is now trying to set up a network of NGOs working on trafficking issues in Central and Western Africa. WOTCLEF has presence in 25 states. This was made possible with their active networking with individuals and organizations that have identified themselves with the objectives of WOTCLEF; such groups of people have now formed the WOTCLEF CLUBS, WOTCLEF VANGAURDS IN TERTIARY INSTITUTIONS, and AND WOTCLEF BRIGADES IN PRIMARY AND SECONDARY SCHOOLS. All of these activities, which are supported by the founder, are part of the preventive and public enlightenment strategies adopted by WOTCLEF to combat trafficking in the country. It has also established Rehabilitation Centers to provide counseling, shelter and skills

acquisitions to repatriated persons. WOTCLEF would like to expand the centers to cover states like Imo and possibly some parts of Northern states where Traffickers are becoming active.

National Council for Women Society (NCWSC):

NCWSC has presence in 36 states of the federation. They are presently working in Edo State on enlightenment campaigns in collaboration with Idia Renaissance. Awareness is created through the use of megaphones, IEC materials and dissemination of information in local languages to market women and communities in Edo state. For now, they need assistance in developing IEC materials, provision of micro-credit to the families of trafficked persons, and repatriated persons as an alternative to sending their children outside the country. This request for assistance for funds for micro-credit is based on their findings and interaction with the women in Edo state, which have revealed that poverty is the root cause of trafficking.

Association of International Criminal Justice Practitioners (AICJP):

AICJP provides legal aid to repatriated persons, prosecutes trafficking barons, advocates for adequate legal framework on trafficking, and partners with other NGOs to prevent incidents of trafficking in persons. AICJP needs assistance in order to spread out its services to other states.

iii. International Donors' Assistance

There is also now an increased donors' interest to reduce incidents of trafficking. This is because of the social, economic, political and human rights issues arising from trafficking in persons. Some of these donor countries are destination countries while others are transit countries. Some of the International Agencies working in Nigeria to address incidents of trafficking include, the

Italian Government (Funds UNICRI/UNODC project), the Swedish Government (funds UNICEF project on trafficking), French and American Government plans to train law enforcement officials, and the International Organization for Migration (IOM project is funded by the Swedish and Italian Government). Below is a matrix of assistance efforts and activities of different donor agencies working to curb trafficking in persons in Nigeria.

HUMAN TRAFFICKING IN NIGERIA-DONOR ASSISTANCE AND DEVELOPMENT

TREND 1997-2003

Year	Situation	Intervention	Partners	Opportunities and Threats	Potential Areas for intervention
1997	Trafficking was not an issue within UN agencies or federal government	-International media focused on Nigeria - ILO/Unicef Capacity building workshop on child labor in Turin.		- Denial & poor understanding of magnitude of the problem. - Urgent need for research to verify media report and proof if the situation exist.	Research & Awareness Creation at all levels IEC material
1998	Regional conference on trafficking to push the issues to the national agenda	- Slow partnership building commenced -pilot research	Unicef ILO FMWAYD FMOL&P	- Slow acceptance -Lack of data -Lack of legal Framework - Lack of programming skills among partners.	- ILO-IPEC Programme initiated -Rehabilitation support required For victims
1999	Awareness increased and problem accepted by middle government	Research and National Conference organized by UN/Govt.	NGOs included	-Readiness of government to intervene and make it a national agenda –lack of fund from government	Widening of partnership Prevention Activities -Provision of basic services
2000	-Increased regional support	Libreville- led to – Libreville Appeal /Platform of Action	Increased NGOs partners and media support	Need to Coordinate programming efforts	Networking and increasing resource mobilization
2001	- Follow –up Action on Libreville 1	-Establishment of the trafficking office under the presidency - Presentation of a private bill on trafficking Adoption of trafficking bill in Edo-state.	-IOM - Justice Immigration - Police	- No scaling up - Concentration to Edo State neglecting other entry points -- Sensitization of partners and capacity building – local media monitoring	- Legal support –lack of synergy amongst funding partners.
2002	Trafficking now a national issue with well defined structures	- Libreville 2- Focusing on Bi-Lateral agreement on cross border trafficking –iMO creating temporary shelters	--UNODC -Foreign Affairs - NDLEA.	-Unwillingness of victims to talk – under reporting cases of barons - Poor documentation - Donor fatigue on partners.	- Involvement of the formal & informal sectors - Establishing indicators and database
2003	Acceptance by partners on coordination of intervention	Planned model youth centers shelters homes in Lagos, Edo, Enugu Katsina & Bauchi		- Weak investigation – -Increasing number of children in hazardous work -Integrating program into the national rolling plans	- Legal /social – protective frame work – - Job creation schemes - Reintegration - Repatriation - Awareness Packages - Prosecution

Some Existing major/project on human trafficking in Nigeria

S/No	Title of project	Time Frame	Donor
1	ILO/IPEC Project for Combating Child Trafficking	2002 -2004	US Dept of Labor
2	IOM Project on Trafficking Against Women and Minors	2000 to date	Belgium, Italian U.S Government
3	Unicef Project on Model Youth Resources Learning Centers	2002- 2004	Swedish Government
4	UNICRI/UNODC Programme of Action Trafficking in Minors and Young Women from Nigeria into Italy	2003- 2004	Italian Government

iv. Challenges and Constraints

One of the greatest challenges currently facing the fight against trafficking in Nigeria is the lack of adequate and effective legislation. Where the legislation is in place, applying it effectively is also a challenge for the law enforcement officials. However, this would soon be a thing of the past, if the Bill on trafficking was passed as soon as is expected. In addition, most victims are not forthcoming in assisting the Police during investigation. This could be attributed to the oath of secrecy sworn to before their departure or fears of reprisal attacks on members of their families. However, their inability to provide police with useful information towards successful investigation and prosecution frustrate efforts aimed at their protection, and prosecution of the traffickers. It is interesting to note that previously held attitudes on the issue of human trafficking are now gradually changing for the better with the increased awareness stimulated by these enlightenment campaigns by civil societies. In the course of investigation, the police have enjoyed a lot of cooperation from other countries, through the Interpol. This cooperation, which exists with other countries, led to the successful repatriation in 2001 of seventeen traffickers and Seven thousand two hundred and six trafficked persons²⁶.

Despite the successes recorded so far, there are however constraints that continue to hamper the realization of the objectives of ongoing projects aimed at reducing incidents of trafficking. They include,

- Weak data base on Women and Minors trafficking and the traffickers.
- Lack of social services for the rural poor who often fall victim to the enticing offer to send their children to Europe.

- Inadequate international and regional bilateral agreement against trafficking (The Bilateral agreement between Nigeria and Italy has resulted in the deportation of trafficked persons from Italy).
- Inadequate shelters for counseling and re-integration of deported persons.
- Scholarship programs, skills development and job creation for the youth should be made a priority by the government.
- Coordination and mobilization of donor agencies in this campaign is very essential to ensure the success of the ongoing effort.

²⁶ D.A.D Gimba, Assistant Commissioner of Police, Ibid page 10.

Chapter Four

Conclusion

In conclusion, there is need for States Parties to constantly review their laws and their obligations under international treaties. Effective implementation of the provisions of these laws will contribute to reduction in the incidents of trafficking. Some of the measures highlighted below could be very helpful if adopted by State Parties in monitoring progress.

The protocol to the CRC and the protocol on Trafficking encourage international cooperation as a key political measure that State Parties can use to eliminate trafficking. Examples of such international cooperation are: the Bilateral Cooperation between Italy and Nigeria, the ECOWAS Declaration and a Plan of Action Against Trafficking in Persons, and the Libreville 2000 Platform of Action.

These instruments also emphasize the use of preventive strategies based on consciousness raising, strengthening legislative framework, and combating social and economic inequalities as measures relevant to stemming the tide of trafficking. In addition, there is need to tackle the root causes of the problem, such as poverty and under-development, which contribute to the vulnerability of women and children²⁷.

²⁷ Article 9 of the Trafficking Protocol and Articles 9-10 of the CRC

Furthermore, there is need for the international community to monitor actions taken by various governments to comply with all the conventions they have ratified or signed. Under the CRC, Member States commit themselves to submit reports to the UN committee on the rights of the child within two years from the entry into force of the Protocol and subsequently every five years to identify measures adopted to give effect to the Protocol and to monitor the progress achieved.

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