

TRAFFICKING
OF NIGERIAN GIRLS
TO ITALY



**REPORT OF FIELD SURVEY
IN EDO STATE, NIGERIA**

JULY 2003

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ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
AWEG	African Women Empowerment Guild
CBO	Community Based Organisation
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CID	Criminal Investigation Division
COSUDOW	Committee for the Support of the Dignity of Women
DPP	Director of Public Prosecution
ECOWAS	Economic Community of West African States
EU	European Union
FAAN	Federal Airports Authority of Nigeria
FGD	Focus Group Discussion
FOS	Federal Office of Statistics
GPI	Girls Power Initiative
HRW	Human Rights Watch
HTU	Human Trafficking Unit
IEC	Information, Education and Communication
IG	Inspector General
ILO	International Labour Organisation
IOM	International Organization for Migration
IRRRAG	International Reproductive Rights Action Group
LGA	Local Government Area
NAPTIP	National Agency for Prohibition of Traffic in Persons
NGO	Non-Governmental Organization
NIS	Nigeria Immigration Service
NPF	Nigeria Police Force
SSS	State Security Service
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNIFEM	United Nations Development Fund for Women
UNODC	United Nations Office on Drugs and Crime
WHARC	Women's Health and Action Research Centre
WOCON	Women Consortium of Nigeria
WOTCLEF	Women Trafficking and Child Labour Eradication Foundation

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Prof. Christiana E.E. Okojie
Survey Team Leader

EXECUTIVE SUMMARY

This field survey was commissioned in Nigeria to provide relevant data to guide the programme of action against trafficking in minors and women from Nigeria to Italy for sexual exploitation. To assist in meeting the objectives of the project, 4 sources of information were identified for the field survey. These are: case file analysis, victims, NGOs and experts, and Law Enforcement agents. The specific objectives of the survey were:

- To generate data from actual cases, experiences of victims and criminal intelligence personnel on trafficking in minors and women from Nigeria to Italy;
- To obtain data identifying trafficking routes, recruitment and exploitation practices;
- To examine trends in and the involvement of organized groups in trafficking in human beings from Nigeria and their subsequent exploitation in destination countries;
- To prepare and submit a detailed report of the processes, findings, conclusions and recommendations from the survey.

Five research instruments were used for collecting the required data for analysis. Altogether these research instruments were administered to 29 female victims, 12 NGOs and other organizations providing services to victims, 32 experts, and 30 criminal justice and Law Enforcement agents. The survey team also analysed 2 cases of trafficking pending at the High Court in Benin City, 15 cases at the Customary Court, and 10 cases under investigation at the Police. Three focus group sessions were also held with victims.

The study describes the modalities of trafficking in minors and young women from Nigeria into Italy for sexual exploitation. It confirmed that most of the victims were aged below 20 years at the time of trafficking. Victims were subjected to oaths and debt bondage where they were to repay sums ranging from USD 40,000-USD 55,000. The study also described trafficking routes between Nigeria and Italy.

Findings from the in-depth interviews and focus group discussions with 29 victims, revealed that: most of the victims are from low-income background, with parents who are engaged in low-income occupations. The victims were often looked upon to uplift their families' financial status by going abroad to work. Most of the victims interviewed had completed basic primary or secondary education, with no hope of continuing to tertiary education because of lack of financial support or of obtaining employment. Others who had been trained as hairdressers and dressmakers considered their incomes as being too meagre to sustain them in Nigeria. Victims were mainly recruited by family members and acquaintances, and travelled of their own free will, but claimed they were deceived about the nature of their jobs in Italy. Travel papers were mostly false. Victims travelled either by air, land and sea through the Sahara Desert and across the Mediterranean Sea into Europe. Victims' earnings from sexual exploitation were retained by their

“*madams/sponsors*” until their debt was paid. *Madams/sponsors* were usually the central figure in the trafficking business.

A detailed analysis of existing laws and a few randomly selected case files concerning trafficking in Nigeria, was undertaken in the survey. The analysis showed that there were no specific laws in Nigeria which prohibit trafficking in humans, but rather reliance was on two principal criminal codes (*The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act* was signed into law by the President on the 14 July 2003). The analysis of the files suggested that the agencies charged with investigating and prosecuting crimes do not quite appreciate the seriousness of the phenomenon of human trafficking. The Police know little or nothing about the organized crime rings involved in human trafficking. During interviews with Law Enforcement and intelligence agencies, the survey team found that some traffickers were trying to employ the tool of legal adoption to traffic minors abroad.

Some NGOs and other organizations have been involved in fighting human trafficking. They reported that most of the victims who returned were forced to return either by crime groups, but mainly by Governments of destination countries. Some escaped from their traffickers or employers. The NGOs and other organizations offered a variety of services to victims of trafficking for periods ranging between one month and one year. Most NGOs referred victims to appropriate organizations for services covering rehabilitation and reintegration, skills acquisition and health care. They observed that there was a need for greater collaboration between them and Government agencies.

Information was also obtained from 32 experts made up of key informants working in related NGOs, traditional leaders, Government officials, medical experts working with HIV/AIDS patients and youth counsellors. Most of the experts decried the practice as debasing, although a few did not see anything wrong with it, because of the financial gains involved.

It was recommended that Nigeria should implement the provisions of the *Palermo Convention* to which it was a signatory. The Government should also take measures to prevent or reduce human trafficking as well as take measures to reintegrate and protect repatriated victims. Recommendations were also made for Governments of transit and destination countries. There is a need for greater collaboration between Nigeria, transit and destination countries for any success to be achieved in reducing human trafficking from Nigeria.

CHAPTER I

Introduction

1.1 Background to the study

The overall aim of this project is to protect the rights of women and minors by reducing trafficking in minors (below the age of 18 years) and young women between Nigeria and Italy. The focus is on Law Enforcement and criminal justice response to trafficking of minors and young women into Italy for the purpose of sexual exploitation, and the reintegration of victims when they return voluntarily or involuntarily to Nigeria. Trafficking in human beings, especially in minors and young women, for the purpose of sexual exploitation has become an issue of major global concern because of its rapid growth in recent years. The phenomenon has become more transnational in scope. An important feature of the increase in human trafficking has been the growing involvement of criminal organizations in exploitation of the urge to migrate felt by those who live in the world's poorer nations (Luda, 2003).

International trafficking in persons refers in general terms to all criminal activities having to do with the apparently legal or totally illegal transfer of persons from one state to another. It involves two distinct dimensions, trafficking as defined above and the aiding and abetting of clandestine immigration (Luda, 2003). The international community has become conscious of the need to act multilaterally to combat trafficking. Thus, in December 2000, the *United Nations Convention on Transnational Organised Crime* and its supplementary protocols were drawn up for signing at Palermo, Italy (Luda, 2003).

Nigeria and Italy are heavily affected by the problem of human trafficking in minors and girls for sexual exploitation. Sexual exploitation includes exploitation of prostitution, and pornography (Popoola, 2001). It is estimated that Nigerian and Albanian citizens make up a sizeable proportion of the approximately 20,000 immigrant women brought to Italy for the purposes of prostitution (Eurispes, 2001). Trafficking of women to Italy dates back to the end of the 1980s when the fear of AIDS rendered drug-addicted Italian girls unattractive on the prostitution market, and the first Nigerian girls began to appear on the streets, especially in central and northern Italy. Nigerians thus constituted Italy's first cohort of "forced prostitutes", they are now numerous throughout the whole country.

Several countries, including Italy, India, Nepal, and the United States, have begun to take innovative steps to eliminate trafficking in women and to implement protective programmes for those who have become victims of the sex trade. The Nigerian Government has expressed its commitment to prevent and suppress trafficking in human beings. The Italian Government is also increasingly concerned

with the high number of Nigerian minors and young women being trafficked into Italy for the purpose of sexual exploitation and the violation of human rights it involves. Furthermore, the Nigerian Government and Law Enforcement agencies have reiterated their strong commitment to establishing closer cooperation with their Italian counterparts in combating trafficking and related activities of criminal organizations. In 1999, the Embassy of the Federal Republic of Nigeria, in Italy, with *Note Verbale No. 210/99* formally requested administrative assistance from the Italian Ministry of Foreign Affairs towards the development of a plan of action for Nigeria to combat trafficking in human beings and sexual exploitation and enhance consultation among the Law Enforcement agencies of the two nations. In September 2000, Nigeria and Italy signed a bilateral agreement designed to combat clandestine immigration which included commitments relating to welfare and respect of human rights in the repatriation of illegal migrants. This project is the result of willingness to cooperate by the Nigerian and Italian Governments in the fight against trafficking in human beings and to facilitate the victim's reintegration.

The project is to contribute to the formulation and implementation of effective policies in the field of criminal justice and social prevention to curb trafficking practices. It is to assist the development of an integrated approach to the problem in Nigeria as well as the improvement of bilateral cooperation between Italian and Nigerian Law Enforcement and criminal justice agencies. The field survey component of the project, with which this report is concerned, was executed by the United Nations Interregional Crime and Justice Research Institute (UNICRI) in collaboration with United Nations Office on Drugs and Crime (UNODC), Country Office for Nigeria, with funds provided by the Italian Ministry of Foreign Affairs. The survey attempted to provide data and information about trafficking in minors and young women from Nigeria into Italy for sexual exploitation and the involvement of organized crime rings. A similar survey was carried out in Italy. The results of the surveys and the identified trafficking routes, provided a basis for further technical cooperation activities between Nigeria and Italy.

1.2 The problem

Trafficking in minors and young women is a social phenomenon that is spreading across every region around the world. Trafficking in women mainly consists of the movement of people from one country to another for sexual exploitation. The person who recruits, as well as the persons who accompanies and the person who receives them in the place of destination are traffickers. Generally, people are trafficked from developing to developed countries in search of better opportunities. A high migration rate has been observed from Asian, African, Latin American, Caribbean and Eastern European regions towards Western Europe in order to participate in the sexual services market. A factor predisposing young women to being trafficked is the feminisation of migration for income generation opportunities. Increased female migration is partly due to the feminisation of poverty. The countries of origin do not have sufficient resources to provide these minors and young women with adequate employment for a life with dignity.

Nigeria is a multicultural country with diverse ethnic and religious identities and an estimated population of 120 million people. Available records show that over 60% of the population live below the poverty line and women and children, especially those in rural areas, form a large part of the poor (FOS, 1999; Okojie *et alii*, 2000). Many families, unable to cope with exorbitant costs of education are forced to withdraw their girls from school, hence there is a high rate of illiteracy among women. In Nigeria, women contribute to the domestic economy as farmers, petty traders, domestic workers and homemakers. Their work is grossly undervalued and poorly rewarded, and to worsen their condition, they have no direct access to credit facilities because of low income and lack of collateral. Their lack of formal training means that they are not able to access other opportunities available in the better paying employment sectors of the economy. Consequently, women have become prime targets of recruiters involved in trafficking for sexual exploitation.

Trafficking in Nigerian minors and women into Italy for prostitution started around the second half of the 1980s, following the economic difficulties caused by the structural adjustment programme (Aghatise, 2002). They started leaving the country on promises of fantastic and well-paying jobs in Europe, in factories, offices and farms. They arrived in Italy only to find themselves sold into sexual slavery. They were forced to engage in prostitution.

Aghatise (2002) noted that the women who were trafficked at the beginning were mainly married women or separated women on the lookout for a way to cater for their families. Later those trafficked were mainly young girls who went in search of jobs to help their families. Their aim was to go abroad to suffer for a few months, earn huge amounts of money and return home to help the family. However, the reality was often different.

Some have estimated that about 80% of girls and women trafficked into Italy from Nigeria are from Edo State. This is curious because traditionally this ethnic group does not encourage prostitution (Aghatise, 2002). Girls and women trafficked from Nigeria are often made to undergo some rites in order not to reveal the identity of their traffickers and *madams* to the Police and to pay their “debts” without creating problems.

The attention of the Nigerian Government was drawn to the menace of trafficking in women in 1997 when the Nigerian Ambassador to Italy, Ms Judith Attah, drew the attention of the Nigerian delegation to the 63rd Interpol General Assembly. She informed them of the nuisance level to which the African women, especially Nigerians, were constituting themselves and called on the Police to put in place necessary machinery to tackle the problem back home. The Police took up the challenge, and since then, efforts have been made to collaborate with relevant agencies and NGOs to address the menace. However, strong cooperation between a cross section of agencies (Law Enforcement and prosecution, immigration and border control, social agencies and NGOs) on which to base a strategic, integrated approach to control trafficking has not yet been developed. Furthermore, there is a lack of analytical data and detailed information on the scope of trafficking in persons. In addition, there is insufficient information on the traffickers and their *modus operandi* on which operational guidelines for a national strategy can be

based. In addition, social workers and Law Enforcement officers are not adequately trained, and victim-witness protection schemes are non-existent or have not been implemented. Absence of efficient mechanisms to support local communities in prevention activities, and for the reintegration of trafficked minors and young women, results in increased vulnerability of individuals. These issues were the concerns of the field survey.

1.3 Justification for the study

Trafficking in women and girls has become an important focus of attention within the UN system, the international community, non-governmental organizations, as well as at regional and national levels. The complex and global nature of trafficking and the seriousness of related issues, such as repatriation of victims, require a coordinated approach to combating the problem. The General Assembly, in its *Resolution 55/67*, encouraged the sharing of knowledge and best practices in dealing with the problem.

In Nigeria, a detailed picture of the dimensions and mechanisms of trafficking flows is missing. Empirical data on the involvement of criminal groups, smuggling routes used by such groups, and the prevailing modalities of transport, are inadequate. Only scattered data on the dimensions of trafficking and the institutional responses to trafficking practices, especially the role of Law Enforcement and criminal justice system in countering human trafficking are available. This survey is to provide some of this data through interviews with victims, NGOs dealing with victims and opinion leaders, as well as with Law Enforcement agencies. Case files of prosecution involving traffickers were also analysed. This survey provided a basis for formulating an integrated approach to combating the trafficking of women and minors from Nigeria to Italy for purposes of sexual exploitation. It provided a basis for developing a well-focused and coordinated approach for technical cooperation between Nigeria and Italy for purposes of addressing trafficking in human beings.

1.4 Objectives of the study

The general objective of the project is to contribute to the reduction of trafficking in minors and young women from Nigeria to Italy for the purposes of sexual exploitation through a series of activities at different levels. These are:

- At the bilateral level, to improve technical cooperation between the Nigerian and Italian Governments, to strengthen their local and national instruments to reduce trafficking in minors and young women from Nigeria into Italy, with the involvement of local administrations and civil society of the two countries;

- At the national level, to strengthen Nigerian Law Enforcement, prosecution and criminal justice agencies, involved in the counteraction to trafficking in human beings for sexual exploitation;
- At the local community level, to educate and protect prospective targets of trafficking through different activities, including collection of data, awareness-raising campaigns and pilot activities to support NGOs, associations and local departments involved in the assistance and reintegration of trafficked victims.

This field survey was commissioned in Nigeria to provide relevant data to guide the programme of action against trafficking in minors and women from Nigeria to Italy. To assist in meeting the objectives of the project, four sources of information were identified for the field survey. These are: case file analysis, victims, NGOs and experts, and Law Enforcement agents. The specific objectives of the survey were:

- To generate data from actual cases, experiences of victims and criminal intelligence personnel on trafficking in minors and women from Nigeria to Italy;
- Obtain data identifying trafficking routes, recruitment and exploitation practices;
- Examine trends in and the involvement of organized groups in trafficking in human beings from Nigeria and their subsequent exploitation in destination countries;
- Prepare and submit a detailed report of the processes, findings, conclusions and recommendations from the survey.

The specific task of the survey team was to administer research instruments to the following:

- In-depth interviews with trafficked victims to collect their story, identify their expectations and needs. Focus group sessions were also to be held with victims;
- Interviews with NGOs and experts, that is key informants and agencies working with trafficked victims;
- Interviews with Government officials and those working with intelligence branches;
- Analysis of case files of trafficking at the prosecution departments.

1.5 Data sources and methods

Scope of the research

This programme of action has been initiated by UNICRI to find innovative ways to combat trafficking in women for sexual exploitation. While the project covers the entire country, pilot activities were implemented predominantly in Edo

State. The field survey was localized mainly to Edo State. This is because Edo State has been identified as the region of Nigeria most affected by trafficking in minors and young women into Italy for sexual commercial exploitation.

Data sources

Apart from the references provided at the end of the report, the findings are based on the field instruments administered during the survey as well as discussions with some of the respondents and some heads of agencies. The data collection for this study was carried out between March and June 2003.

As mentioned, the sources of data for the survey were:

- Case file analysis;
- NGOs and experts involved in trafficking in minors and young women;
- Law Enforcement agencies and personnel;
- Victims of trafficking.

Research instruments and guidelines were prepared. These were administered to various agencies and individuals to obtain the required information as stated in the objectives of the study. In addition, focus group sessions were held with victims of trafficking. The survey team developed a focus group discussion guide for this purpose. Thus both qualitative and quantitative data collection methods were used in this study.

Research instruments

To achieve the objectives of the study, various research instruments were designed to obtain information on the subject of study from the above-identified sources. These instruments were designed by UNICRI and adopted for use after discussion and fine-tuning by UNICRI/UNODC Survey team. A total of 5 research instruments were utilized in the survey.

Instrument No. 1: List of topics for case file analysis

This instrument contained a list of data to look for in the examination of the case files for analysis. The files were to be analysed for information on:

- The victims;
- The offenders;
- The criminal organization;
- Contacts with the illicit and/or licit environment;
- Trafficking routes; and
- The costs and proceeds of criminal activities.

Only crimes relating to exploitation of prostitution and trafficking of women and minors were to be considered. The major focus of the analysis is on procedures, criminal organization, national and international cooperation, organized crime, responses and problems in the procedure.

Instrument No. 2: NGOs and experts guideline for interview

This was used as a guideline for interviews of NGO staff and Experts to get information from them on trafficking in minors and women, and the NGO's role in rehabilitation of victims.

Instrument No. 3: Criminal justice and Law Enforcement guideline for interview

This was used to collect information from criminal and Law Enforcement agencies at both the national and state levels. Prior notice was given to the respondents before the interview to enable them gather data on the subject area in their possession. Attention was to be on what should be done at national level to respond to trafficking in minors and women, as well as what should be done to enhance international collaboration.

Instrument No. 4: In-depth interviews / personal story guidelines with victims

This served as a guideline for conducting in-depth interviews to collect personal stories from the victims. Information required included: demographic profile of victims; source and types of travel documents; recruitment practices/costs and debt; travel routes and experiences; deception, coercion and exploitation; involvement in organized crime; Police, Government and NGOs responses, etc.

Instrument No. 5: Guideline for focus group discussions

The focus group discussion (FGD) guide was prepared by the survey team. It was used to moderate the focus group discussions among the victims. It contained a series of topics covered during discussion. Only open-ended questions were included.

Selection of respondents

To obtain a sound and proper perspective of the subject, individuals were identified for inclusion in the survey as respondents. The inclusion criteria were:

- a) Female victims of trafficking, with preference given to those trafficked to Italy;
- b) Individuals closely working with victims;
- c) Individuals working in NGOs associated with victims;
- d) Law Enforcement agents who have experiences with victims, as lawyers, magistrates, security, immigration, prisons, and the Police;
- e) Opinion leaders in community e.g., religious leaders, traditional leaders, and women leaders;
- f) Youth counsellors;
- g) Doctors involved in health management of victims.

Persons falling into categories b, c, e, f, g, were considered as experts for the purpose of this study.

Organization of field work

Field work in Benin City began actively in March 2003.

Focus Group Sessions / Interviews with victims

Focus Group Discussion (FGD) sessions: The focus group discussions were designed to elicit information from the victims on a group basis in addition to in-depth interviews with them. Contact was made with victims through the assistance of NGOs that had been working with them. This went a long way to ensure cooperation from the victims, considering the very sensitive nature of the issues for interview and discussion. Three sessions were held. It was an opportunity for the participants to openly discuss their common experiences, personal experiences and give details of their misgivings and grievances on the issue of study. The discussions were recorded on audiotapes and later transcribed (*verbatim*). The report was then analysed.

In-depth interviews: Initially, the survey team had hoped to administer questionnaires to a completely different set of victims from those who participated in the FGD sessions. However, because it was so difficult to find victims, all those who participated in FGD sessions were also interviewed. A total of 29 victims were interviewed (18 of them participated in the focus group sessions).

Administration of questionnaires to NGOs and experts

Altogether, a total of 32 experts and NGOs were interviewed. Officials of NGOs were interviewed as experts in addition to providing information on their NGOs.

Altogether, the questionnaires were successfully administered to NGOs and 32 male and female experts.

Administration of questionnaires to Law Enforcement and security agencies

As with the experts, given the length of the questionnaire and their very busy schedule, the interviews could not be conducted personally. They were given 1 to 2 weeks to complete the questionnaires. Altogether, 31 questionnaires were successfully administered.

Case file analysis

The Research Team was informed that they could not have access to Police case files and an officer in charge of the human trafficking unit was assigned to help extract required information from case files. However, the team found that a number of related cases had been filed at the Magistrates Court. Because many of these cases were not charged as human trafficking offences, even the magistrates were not aware that such offences were in their courts. Majority of the cases were charged as advanced fee fraud cases (419 cases). Because of poor record keeping and the fact that some magistrates locked up record books in their chambers, it was difficult to track all these cases. Only 2 cases of human trafficking were before the

High Court. Altogether the following number of cases were analysed for the first draft of the report:

High Court	2
Magistrates Court	15
Police files	10

Limitation of the study

A major limitation of this work is that it was extremely difficult to get victims to participate in the study; many who were approached and had consented to participate, backed out at the last minute. Furthermore, it was virtually impossible to administer the questionnaires in person to the respondents, especially officials of NGOs and experts, as well as officials of Law Enforcement and intelligence agencies because of their very busy schedules. Specifically the following limitations were faced:

- 1) The nation wide fuel crises in the months of March and April, and up to June in Edo and Delta States, affected some of the victims scheduled for interviews, as they claimed they could not afford the hike in prices of commercial vehicle to meet scheduled appointments.
- 2) Victims, who had volunteered to participate in the focus group discussions and interviews, frequently reneged on this promise and refused to turn up. The peculiar nature of the study made some of the victims to shy away from interviews. One of the victims who had subsequently got reintegrated into the society, and got married, was not willing to have that aspect of her life discussed, as her husband had no knowledge of her past in Italy.
- 3) Victims threatened to withhold information. Prior to the first focus group discussion, they informed the study team that they would not reveal all their experiences in Italy except for a high price.
- 4) Victims also felt very shy to reveal the sordid aspects of their experience in Italy, and as such did not disclose their actual experiences. Some of them denied engaging in prostitution abroad, while others said they were repatriated from the airport on arrival in Italy.
- 5) Focus group discussions were scheduled three times at a chief's palace (the chief frequently judged cases for victims and *sponsors* and parents) but the victims did not keep the appointments with excuses of being ashamed of that aspect of their lives.
- 6) Accessing victims was very difficult as expected. At a point, those who were to assist in accessing victims decided to commercialize the exercise by requesting exorbitant "fees" to contact victims. The survey team felt that this was very unethical and amounted to "exploitation" of the victims' situation.
- 7) The study was conducted during the period of Nigeria's general elections. The wife of the governor of Edo State was known for her stance on female trafficking. Some of the proposed respondents refused to fill the expert questionnaires as they were of the impression that the study was to enhance the NGO of the first lady of Edo State.

- 8) The interviews that were planned with the experts and Law Enforcement agents, turned out otherwise, as almost all of them preferred to administer the questioners themselves due to their tight schedule.
- 9) Some of the research instruments required more information than could be supplied by the respondents. This was especially so with the instrument for Law Enforcement agencies. Given the poor state of record keeping in Nigeria, most of them had no data to fall back on. As a result, many of the answers were left blank as the respondents said they don't know much about the details of human trafficking although they are aware the problem exists. A few questionnaires targeted at the Headquarters in Lagos or Abuja, of key agencies actually involved, such as the Police, Immigration, and State Security Services, would have been sufficient to collect whatever statistics was available on human trafficking. Most of the answers were the impressions or guesses of the respondents based on hearsay. The value of these questionnaires is to emphasize the need for good record keeping and dissemination of such information to relevant agencies.
- 10) Some of the desk officers of the agencies were not keen on releasing information at their level, because according to some of them, such show of knowledge has led to premature retirements of officers who thought they were "smart" by senior officers who felt threatened. They even refused to let us have or even read copies of some of their write-ups on the subject. Everything was confidential or "secret".

In general, obtaining hard data was very difficult, and most of what was obtained represents personal estimates by respondents to the questionnaires. Some of the agencies which had data were very secretive, and reluctant to divulge them. Very little published data by these agencies are available, mainly because there have been no coordinated efforts to keep good records of human trafficking. Most of the available data are records of those repatriated, not of those who had been trafficked.

CHAPTER II

Literature review

2.1 Definitions

The kidnapping, recruitment and transport of women and children for sexual and other forms of slavery dates back thousands of years. It was not until the turn of the twentieth century that this activity has been recognized as “trafficking”, and the issue entered into the forefront of international discussions. The term trafficking has several definitions. The international definition of “trafficking” as found in Article 3 of the *Supplementary Protocol of the Palermo Convention* is:

- a) Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.
- b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.
- c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article.

Trafficking is a multi-dimensional problem. Wijers (see Foundation of Women’s Forum, 1998) recognised the following approaches to addressing the problem:

A moral problem: This approach sees trafficking in women and prostitution as an evil that should be controlled. Actions against trafficking using this approach aim at controlling and punishing the parties involved. This places women in prostitution at risk of punishment instead of regarding them as victims.

A criminal problem: The criminal approach aims at introducing heavier punishments, improving international Police cooperation and other measures which will lead to more effective prosecution of offenders. The interests of the women are subordinated to those of prosecution.

A migration problem: This approach views trafficking as a problem of illegal migration. Actions here are aimed at keeping women at home, stricter border controls, etc. The interest of the State is to keep out undesirable aliens.

A human rights problem: Treating trafficking in women as a human rights problem can be looked at in two ways. Firstly, forced prostitution is seen as a violation of the human rights of women and should be abolished. The other aspect is that prostitution as such does not violate the rights of women, but the conditions women in prostitution live under, such as deceit, debt bondage, blackmail and deprivation of freedom of movement, violate their human rights.

A public order problem: This approach views trafficking in women and prostitution as a public order issue or a public health issue. Solutions are to increase control by, for example, introducing medical examination.

A labour issue problem: Trafficking in women is seen as the result of poor legal and social position of women in most societies: as women, as workers and as migrants. The solution is to improve labour opportunities and working conditions, pensions, state benefits, etc., to women in prostitution.

The approach adopted towards trafficking determines the strategies used to address the problem. The State often has more interest in restricting illegal migration and organised crime. This study adopts a composition of approaches. It views trafficking as a criminal problem, an objective is to strengthen Law Enforcement agencies to become more effective in preventing trafficking to Italy. It also views the problem from a human rights approach, the objective is to free victims from the authority of the trafficker, and provide opportunities for counselling and social empowerment, and opportunities to return home.

Trafficking of women and children is thus seen as inextricably linked with violence against women and women's human rights. It is addressed in the *Beijing Platform for Action* under Strategic Objective D3: "Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking". The Platform called on Governments to take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialised sex, in order to eliminate trafficking in women and girls.

2.2 Dimensions of trafficking in women and minors

The literature is replete with studies showing that sexual exploitation is a growing industry, as thousands of women and children are trafficked by businessmen into dens around the world. The increase in technological advances has enabled traffickers to expand their networks and to more easily move desperate people who want to get out of unsatisfactory situations within their home countries. Internal strife, civil war and economic depression contribute to and facilitate the

luring of susceptible men or women mainly from Asian, African, Latin American and Eastern European countries to Western European and North American countries with promises of a better life and better wages. While women make up a large proportion of victims, children are also victims (Joshi, 2002).

There is generally a paucity of data on the scale and trends in human trafficking around the world largely because of the criminal and underground nature of trafficking. Thus most available data are estimates by various researchers and NGOs working on the subject. The Human Rights Watch (HRW) has been involved in documenting and monitoring trafficking in women for several years. According to Regan Ralph, the executive director of the women's rights division of the HRW, current trafficking in women is a slavery-like practice that must be eliminated since it involves the illegal and highly profitable transport and sale of human beings for the purposes of exploiting their labour (Third World Network). Kenety (2001) noted that as many as 700,000 women and children are moved across international borders by well organized criminal trafficking rings each year. Of this number, over 120,000 women and children are brought illegally into Western Europe, mostly to work as prostitutes, and usually against their will.

In her speech at the Australian Women Conference, Maltzahn (2001) gave some estimates on trafficking in women globally:

- The United Nations estimates that trafficking generates as much as USD 5-7 billion annually, with four million people moved from one country to another and within countries each year.
- The US Government estimates that 50,000 women and children are trafficked into the US each year.
- 500,000 women are trafficked for prostitution in Western Europe each year.
- Traffickers can make five to twenty times as much money from a woman as they paid for her. Unlike drugs, a woman can be resold many times, and there are fewer risks of being caught, prosecuted or convicted than if they are doing drugs or arms trafficking.

More recent estimates were provided in the *2003 Trafficking in Persons Report* (US Bureau of Public Affairs, 2003). It was estimated that approximately 800,000-900,000 persons are trafficked across international borders annually. Of these, between 18,000-20,000 victims are trafficked into the United States. According to Diamantopoulou (see Kenety, 2001), the EU Commissioner for Employment and Social Affairs, Western Europe must face up to the uncomfortable fact that it is the heart of a modern day slave trade. She added that many trafficked persons are brought and sold into forced prostitution, beaten, imprisoned, raped and sometimes killed. According to the United Nations Development Fund for Women (UNIFEM), trafficking in women for prostitution is one of the fastest growing organized criminal activities in the world, and follows in frequency, only the trade in narcotics and weapons.

HRW reported on the trafficking of women and girls from Bangladesh to Pakistan, from Burma to Thailand, and from Nepal to India. In 1999, a trafficking ring that transported up to 1,000 women from several Asian countries into the United States to work in brothels, was broken up in the Southern State of Georgia. Similarly, close to 500,000 women are smuggled into Western Europe every year.

According to researchers, nearly 60% of women forced into the sex industry in some Western European countries are controlled by Russian and Albanian criminal networks.

Research conducted by the University of North London's Child and Women Abuse Studies Unit, indicated that six out of ten women in London's brothels have been trafficked from countries such as the Ukraine (Macan-Markar, 2001). Freed (1997) observed a disturbing form of commercial sex industry in Cambodia. Thousands of uneducated young girls in rural areas were being sold into brothels often because their families were deceived by false promises of good job opportunities for their daughters. The girls and young women were virtually enslaved by brothel owners, confined to tiny rooms and forced to have sex with many customers to offset their debt.

Trafficking in women, referred to by President Olusegun Obasanjo of Nigeria as "the new slave trade", is a phenomenon that affects and implicates all regions and most countries of the world. According to the UN (United Nations Department of Public Information, 2001), while trafficking routes are constantly changing, a constant factor is the economic distinction between countries of origin and countries of destination. As with all other forms of irregular migration, trafficking invariably involves movement from a poorer country to a wealthier one. South Eastern Asian women are trafficked to North America and other Southeast Asian countries. African women are trafficked to Western Europe. The break-up of the former Soviet Union and the resulting economic and political dislocation has resulted in a dramatic increase in the numbers of women trafficked from Western and Central Europe (United Nations Department of Public Information, 2001). Increasing economic hardship, especially in developing and transnational countries, obstacles to legal migration and serious armed conflict are correlated with increase in trafficking as well as the spread to previously unaffected areas (United Nations Department of Public Information, 2001).

2.3 Modalities/impacts

Traffickers who may be freelancers or members of organized criminal networks use threats, intimidation and violence to force victims to engage in sexual acts or to labour under conditions comparable to slavery, and for the traffickers' financial gain (US Bureau of Public Affairs, 2003). They use various recruitment methods, including outright abduction and purchase from family members. In most cases however, the potential victim is already seeking a chance to migrate. According to a University of North London report (HRW), the method of trapping women into the sex industry hardly differs. The woman is approached with a promise of a good job in another country. Lacking better options at home, she agrees to migrate. Once overseas, she is delivered to her employer. In a strange environment, she has no control over the nature or place of work or the terms or condition of employment. Some victims know that they are being recruited into the sex industry and that they have to work to pay back large recruitment and transportation fees, but they are

deceived about their conditions of work (United Nations Department of Public Information, 2001). When they find out that they had been deceived, escape is both difficult and dangerous given the coercive and abusive situations in the brothels.

Pinto (2002) pointed out that women from Latin America, Asia, Caribbean and Africa are trafficked to Europe because there is a sexual market that emphasizes the beauty and “exotic” aspects of women from these places. Similarly, Zapata (2002) stated that the main reason for the maintenance and growth of trafficking in women and minors for sex is the demand on the part of clients most of whom are men (Hughes *et alii*, 1999; Loconto, 2002). With particular reference to trafficking from Nigeria as reported by respondents, the high demand by clients in Europe is a major factor encouraging traffickers since they are aware there is a ready and easy to enter market for the services of prostitutes. Several studies have stressed that trafficking in women is an international crime, susceptible to prosecution by the international criminal court. Traffickers convince recruited individuals that they will assist them with all they may need to travel. They cover all expenses for paperwork, documents, passport, taxes, etc. They even offer to pay some pending personal or family loan since the clients are often in a state of urgent need. All these expenses are charged to the account that will be covered with the promised job in the destination country.

Several studies have noted that for the victims of trafficking, the physical and mental abuse frequently experienced, combined with the economic exploitation, frequently leads to multiple trauma, anxiety and malnutrition, disease and sometimes death at the hands of traffickers. The victims are often alienated from their families and communities, partly because they have failed to live up to expectations and repay the family investment and partly because they cannot tell them about their experiences. According to the HRW, the abuses committed by trafficking include debt bondage, forced labour, torture, illegal detention, deprivation of freedom of movement, speech and association, and discrimination. The coercive tactics of traffickers, including deception, fraud, intimidation, isolation, threat and use of physical force, and/or debt bondage, are at the core of the problem of trafficking. The harm committed by these human rights abuses are detrimental to the lives of the victims, it shapes how they continue to live their lives if they are able to escape (Loconto, 2002).

Studies have also shown that Governments and different organizations have expressed concern for the situation of trafficked minors and women. As the sex trade grows at an alarming rate, Governments are finding that they are unable to address the situation (Delong, 2000). Diamantopolou (see Kenety, 2001) has emphasized that the way forward was a multi-tiered strategy against trafficking that attacked two root causes, the feminisation of poverty in countries of origin and the demand for paid sex in Western Europe with scant legislation in place to address the plight of the trade’s victims. As the former UN High Commissioner for Human Rights, Mary Robinson, put it *“Trafficking is...inherently discriminatory. In the case of trafficking into the global sex industry, we are talking about men from relatively prosperous countries paying for the sexual services of women and girls - and sometimes men and boys - from less wealthy countries. This is more of a labour rights issue or an issue of unequal development. It is a basic human rights*

issue because it involves such a massive and harmful form of discrimination" (United Nations Department of Public Information, 2001).

In many countries, victims of trafficking are treated as criminals by authorities of the destination countries; they are often detained, prosecuted and repatriated. A study by Amnesty International (see DeLong, 2000) criticized many countries for treating trafficked women as criminals rather than as victims of international crime and exploitation. Anti-slavery International made recommendations to Israel to take action to protect women who have been victims of these human rights violations, and to avoid exacerbation of trauma through detention and poor protection. It is the view that if all nations were to review and ensure compliance with such recommendations, women everywhere could begin to hope for an end to the horror of the sex trade.

2.4 Previous studies of human trafficking in Edo State

Much of the information on trafficking in women in Nigeria is found on the pages of newspapers where reports of arrests of traffickers or repatriation of victims are recorded. For example, the Guardian Newspaper of 17 January 2001, reported that according to Mrs. Titi Abubakar, the wife of the Vice President of Nigeria, and founder of WOTCLEF, at least 1,116 trafficked girls were repatriated from various countries in 2001. The Punch of 19 October 2001, reported that Calabar, the Cross River State capital, had become a transit point for traffickers. According to the paper, because of the war declared on trafficking in women in Edo State, and the consequent security alert at the nation's western borders, traffickers and their agents were now using Calabar ports and the various creeks in the areas as departure points to transport victims. The Newswatch Magazine of 26 July 1999 also reported details on girls being trafficked for prostitution abroad. According to Chief Isekhure of Benin, as reported in the article, traffickers had formed themselves into a cartel, with many of them owning properties in Benin and Lagos. Several other reports have also been made in other dailies in Nigeria.

The first major survey of human trafficking was conducted by WHARC (Women's Health and Action Research Centre, WHARC, 2002). It conducted a community-based study to estimate the extent of sexual trafficking in Benin City, Edo State with funding provided by the Ford Foundation. In the study, 1,456 randomly selected women aged 15-30 years were interviewed in their homes to determine their knowledge of and experiences in relation to sexual trafficking. Nearly 5% of the respondents reported that they had previously travelled abroad, while 32% reported that somebody had recently approached them to assist them to obtain papers to travel abroad. Friends and relatives (aunts, uncles, brothers, sisters, parents and husbands) were reported by over 60% of the respondents as those most likely to offer such assistance. The respondents said that lack of economic means of survival is the major reason that drove women into prostitution outside Nigeria. The countries to which women were trafficked were in order of frequency Italy,

Netherlands, Spain, Germany and Belgium. The results of the study confirmed the high prevalence of sexual trafficking in Edo State of Nigeria. There was considerable pressure on women who have not yet been trafficked from relatives and friends, to involve them in trafficking. The study concluded that a broad based community approach was required to reduce sexual trafficking in the State. WHARC also devoted a special edition of its journal, Women's Health Forum, to sexual trafficking (WHARC, 2002). Several prominent persons in the State were interviewed to ascertain their views on sex trafficking.

In another study, GPI (Girls' Power Initiative, 2002) examined sex trafficking in 4 States; these were: Edo, Delta, Akwa Ibom and Cross River States of Nigeria. The study focused on why girls were being trafficked from Nigeria, what should be done to help girls resist being trafficked, and which services should be put in place for girls who do not want to be trafficked. FGD sessions were held with adolescent boys and girls, male and female parents, while 299 in-depth interviews were held with victims, boys, girls, traffickers, opinion leaders, NGOs, CBOs (community based organizations), traditional and religious leaders, policy makers and other representatives of Government. The study was conducted between September 2001 and January 2002. The study found that girls were more susceptible to trafficking abroad for several reasons. Firstly, there is a demand for their sexual services (they were more marketable abroad), it was therefore profitable for traffickers to deal in women. Parents preferred to send daughters abroad because they could be relied upon to assist the family and help lift them out of poverty, girls were more willing to sacrifice themselves for their families. The success stories of other girls who had been trafficked and had made it, also encouraged others to try their luck. High rates of unemployment among girls due to relatively low levels of female education because of unwillingness of their parents to send them to school, provided a pool of girls to be trafficked abroad. The study made several recommendations to enable girls to resist being trafficked abroad.

Thus the 2 studies described above emphasize the prevalence of sex trafficking in Edo State, and the predisposing factors. Unemployment and poverty were the main push factors while the demand for sex workers in foreign countries was a major pull factor. However, some have discountenanced the role of poverty, arguing that Edo State is not the poorest state in Nigeria, as the table in the Appendix 1 shows. The present study will focus on international collaboration to help reduce sexual exploitation of trafficked women.

CHAPTER III

The study area

3.1 Socio-political/economic background of Edo State

Geography/politics

The study area, Edo State, was carved out of the defunct Midwestern State which was carved out of the defunct Western Region in 1963. It remained intact as part of a twelve-state federal structure created in 1967 by the Gowon Administration. The State was renamed Bendel State in 1976, and remained intact during successive creation of new states until 1991 when it was split into Edo and Delta States. It is now made up of 18 Local Government Areas (LGA) after increasing the number from 12. According to the 1991 Census, the population of the State was 2.159 million persons.

The State experiences sub-equatorial type of climate with its characteristically high temperature throughout the year and a corresponding moderately high rainfall evenly distributed throughout the year. The vegetation ranges from lowland rainfall in the lower portion of the State to derived and Guinea savannah belts in the northern parts of the State. The population of the State is distributed as shown in Table 3.1 below.

Table 3.1 - Edo State population by Local Government Area

LGA	Male	Female	Total
Akoko Edo	59,421	64,945	124,366
Esan South	43,847	45,639	89,486
Esan West	45,537	46,211	91,748
Esan Central	60,921	67,590	128,511
Esan North East	43,476	44,882	88,358
Etsako West	65,208	65,718	130,926
Etsako East	67,968	75,935	143,903
Iyekuselu	64,351	57,756	122,107
Oredo	315,296	363,680	678,976
Orhionwon	116,622	110,726	227,348
Ovia	42,554	38,446	81,000
Owan	75,517	75,582	151,099
Total	1,000,718	1,057,110	2,057,828

Source: FOS, Annual Abstract of Statistics, 1995 Edition, Federal Office of Statistic, Lagos.

Table 3.1 shows that overall, males are slightly more than females in Edo State. However, in some of the LGAs, there are more females than males. These include Oredo and in the Esan Local Government Areas. Oredo Local Government Area is a major source area of victims of trafficking.

Ethnicity

The people of Edo State, Nigeria, consist of a group of historically related people who trace their origins or ancestry to the erstwhile Benin Kingdom. The inhabitants of the erstwhile kingdom of Benin were also known as Edo people. The names Edo and Benin can be used interchangeably. Edo is better used in vernacular speech, while Benin is used in English. Both names thus represent the land and people of Benin. The name Benin also serves better as a territorial label (e.g. Benin City, Benin Kingdom, Benin Empire or Benin Division), while Edo serves better as linguistic and ethnic labels for the inhabitants of the Benin territory (Okpoko & Agbontaen, 1993). The people of Edo State can be divided into 5 main ethnic groups distinct from each other in certain linguistics, social and some cultural features. These are: (1) Benin or Edo proper, (2) Esan (3) Etsako (4) Owan (5) Akoko Edo.

The economy

Edo is a predominantly agricultural State. Although the State is abundantly blessed with rich oil and gas and solid mineral deposits, the larger part of this endowment is either not being exploited. The dominant economic activities in the State are shown in Table 3.2 below by Local Government Area (increased from 12 to 18).

Table 3.2 - Major economic activities by Local Government Area

LGA	Main economic activities
Akoko Edo	Animal husbandry, grains, fishery, tourism, solid minerals
Egor	Ceramics, tourism, cultural and artistic productions
Esan Central	Oil palm, fruits
Esan North East	Citrus fruits, rubber
Esan South East	Fruits, long grained rice, fishery along River Niger
Esan West	Rubber, fruits, timber, rice
Etsako Central	Rice, grains, fishery
Etsako East	Grains, cotton, cashew, fishery
Etsako West	Rice, grains, rice milling, cashew nut production and processing
Igueben	Local cattle rearing
Ikpoba-Okha	Palm products, rubber, cassava, fishery, snails, piggery, oil and gas.
Oredo	Rubber, poultry
Orhiomwon	Rubber, timber, snail, fishery, yam, plantain, cassava, animal husbandry
Ovia North East	Rubber, fishery, fruit, piggery, oil palm
Ovia South West	Rubber, local cattle breed in Udo, oil palm, snail
Owan East	Cocoa, legumes, fruits, soya beans, groundnuts, melon
Owan West	Cocoa, cashew, soya beans, melon
Uhumwode	Fruit, plantain, timber, oil palm

Source: UNDP/Edo State: Blueprint for the Development of Edo State, 2003.

Table 3.2 shows that Edo State has a lot of economical potential. Unfortunately, most of the youth are no longer interested in farming activities. They prefer wage employment. Since its creation, Edo State has been experiencing economic hardship as a result of the implementation of macroeconomic policies adopted by the Federal Government since 1982. Economic stabilization policies adopted since 1982, and especially the structural adjustment programme adopted in 1986 have had depressing effects on employment, incomes, and the standard of living. The structural adjustment programme with its restrictive financial policies, retrenchment of public sector workers and a freeze on wage increases, have had very harsh impacts on the State. Successive waves of retrenchment in the state public service, failure to pay retirement benefits, and irregular payment of salaries, have all raised the incidence of poverty in the State. The Federal Office of Statistics (1999) estimated the incidence of poverty in Edo State to be 53.3% in 1996 (See Appendix 1).

Furthermore, Edo State is referred to as a civil service State due to the near absence of manufacturing industries, and the excessive dependence of the private sector on contracts from the public sector. Revenue accruing to the State from the Federation Account is insufficient to meet official spending plans, internally generated revenue is inadequate to meet the shortfalls. The high incidence of poverty and absence of jobs have contributed to the large number of Edo State citizens, male and female, leaving the State for foreign countries in search of better economic prospects. It has also led to increased criminal activities and forced young girls into domestic and international prostitution. The large numbers of girls from Edo State who are victims of trafficking in minors and young women for sexual exploitation abroad is a source of embarrassment to the State.

3.2 Customs and traditions of the Edo people

This section briefly reviews some customs and traditions of the Edo people, especially those which influence women's lower status relative to men. Reference here is made to Benin customs, but they are similar among all the ethnic groups because of the common origin of all the ethnic groups in the State. Benin customs and traditions like in any other society had been guidelines that governed the lives of the indigenes especially during the colonial era. With the colonial and post-colonial periods, some of these customs and traditions have undergone changes and moderations. Many indigenes no longer adhere to some of the customs they consider anachronistic. The palace, however, remains the citadel of these traditions and customs, and cases brought before the Benin traditional council are judged in consonance with the customary law.

The family

In Benin, the rule of descent is patrilineal, and residence after marriage is virilocal. The head of the family is the father (*erha*). He rules over his wife-

gate/wives-gates (*urho*). He is also known as “*odafen noyanwa*” (the husband and owner of the house). He is to be obeyed and honoured by all living in the compound and in return is responsible for their protection and answerable to the authorities for their behavior. Any trouble in the compound is reported to him (Egharevba, 1949). His next-of-kin is his eldest son. At his father’s death this son becomes the new father and would step into his position and property.

It was the custom for the grandparents and married sons to live in one large compound, generally consisting of a large courtyard with women’s quarters built around it. The wives in the compound are under the care of the most senior wife or the oldest of the senior wives. The wives/women are responsible for cleaning the house, cooking and caring for the children (Egharevba, 1949).

Male children are more highly valued than female children, as the male continue with the family name, while the female children marry out of the family. The woman without a son is therefore not highly valued, a situation which has been described as being responsible for “the mad desire for male children” by Benin women (Usuanlele, 1998).

Property rights / inheritance

The rule of primogeniture is deeply entrenched in the Benin traditional way of life, both with regards to the crown and all inherited properties. Under the system of primogeniture, succession rights to property, hereditary title and ritual duties pass to the eldest son. The eldest son performs the funeral ceremonies of the deceased father, and inherits the greatest share of properties such as houses, land and clothes (Igbafe, 1979). Other items such as movable goods and wealth are divided in diminishing proportion between the senior sons of each of the wives (Bradbury, 1964). Wives or women are not allowed to inherit their husbands’ property, except such things are given to them before their husband’s death. But the husband may inherit the wife’s property, if there are no children. The family estate (*Igiogbe*) is usually an all male affair, and previously women rarely owned landed properties, since they lived with their husbands or parents (Usuanlele, 1999).

The discrimination against women in sharing of properties was for fear of the woman using such inheritance to glorify her husband’s family rather than her father’s family (Usuanlele, 1998). The tradition also regarded a woman as a stranger in her father’s house/family because eventually she belonged to her husband’s house/family (Ebohon, 1996). More recently, it has been explained that girls were only disadvantaged if the man built only one house (WHARC, 2002). However, given the prevailing rate of poverty, and the fact that most people managed to build just one house, except if wealthy, girls are disadvantaged with respect to inheritance.

Marriage, divorce and adultery

Marriage: Polygamy is the custom among the Edos, each man is free to take as many wives as he likes (Egharevba, 1949). The polygamous nature fitted the

economic life in the past as the people were mainly subsistence farmers, and needed large family units to provide an effective labour force. A typical traditional marriage is a family affair; it is a contract between 2 families of the man and woman. Payment of bride price is an essential aspect of the marriage. One important feature of the traditional marriage in the past (before the advent of the British rule) was its indissolubility. *“Once an indigenous marriage was contracted under native law and custom, it had a recognized stamp of permanence”* (Igbafe, 1979:19). It is contrary to Benin laws and custom for husband and wife to live separately from each other except in time of sickness, impotence, and disagreement or during the period a woman is undergoing treatment, or nursing a baby. She is not allowed refuge or abode in any other house than those of her parents (Egharevba, 1949).

Marriage to a white man was claimed to be repugnant to Benin customs (Egharevba, 1949). Women in pre-colonial Benin were under strict control and kept in check by various taboos and regulations. Once a Benin woman married, she became the property of her husband; the family and the state had no say over her (Ebohon, 1996).

Divorce: Prior to colonial rule no divorce or refund of bride price was permitted. Separation was caused by impotence or dangerous and infectious diseases (Egharevba, 1949). Divorce therefore was said to be virtually unknown and was only granted in exceptional cases, especially to women of noble parentage who could afford to pay the fine (Usuanle, 1999). Persistent quarrels and cruel treatment were settled by family elders or the village chief and these rarely led to divorce (Igbafe, 1979). Impotence was often concealed. The woman usually solved the problem with her husband’s connivance, to take a lover and any resultant children belonged to the husband (Igbafe, 1979).

Adultery: Adultery is not tolerated under the Benin traditions and customs. In the pre-colonial times it was rare due to heavy punishment inflicted on adulterers. It was described as an abominable crime in which both parties were severely punished with trial by ordeal, beating, and payment of fine and sacrificial and purification rites (Egharevba, 1949; Usuanle, 1999).

These different customs helped to explain the inferior status accorded to women among the Edos. Thus sons are preferred to daughters. This influences access to education as parents preferred to send sons to school, while girls were withdrawn from school in times of adversity and married off at young ages. Since women could not inherit property, they lacked collateral to present to banks to obtain loans for investment purposes. They could not inherit land despite the fact that women provide most of agricultural labour in Benin society. Other customs that are detrimental to women’s welfare include widowhood rites and menstrual taboos. While menstrual taboos are rarely observed nowadays, widowhood rites are still being enforced in many parts of the State (Okojie, 1992).

Although there are slight variations in demands made on widows between communities in Edo State, there are some common features. There is a mandatory mourning period of 7 to 21 days usually starting from the day after interment. During this period, the following are expected of the widow in different combinations depending on the community: she does not take a bath among the

Binis; she sits/sleeps on the floor; she cries and sings dirges in praise of her husband; she sleeps or sits on ritual leaves; she wears rags; she blackens her face with charcoal; broken bottles or pots are tied to her hand; she sleeps by her husband's grave; she eats with a broken plate, drinks with a broken cup; she eats with her left hand, etc. (Okojie, 1992).

At the end of the public mourning, she goes to the husband's farm or shrine after which she has a bath, may shave her hair, etc. In some communities, the widow is made to swear before the ancestral shrine that she had nothing to do with her husband's death. In some communities, widow inheritance is practiced. After the mourning period has been observed, and usually after final burial rites have been performed for the deceased husband, a decision is made about the widow. Traditionally, in some communities, the widow, especially if she has children, is inherited by the husband's male kin except his father. Certain rites have to be performed to appease the spirit of the late husband, usually the killing of a goat after which she is given to her new husband. If the widow is young or had no children, she is released in some communities to marry someone else (Okojie, 1992).

All these practices were to ensure male dominance of women and conformity by women to role expectations. These cultural practices and expectations which have been internalized by women, explain gender inequalities in the economic and political sphere.

Religious Practices: Religious practices in Edo State reflect gender inequality. At the extreme is the practice of *purdah* by Muslims where women are excluded in the home after marriage, although *purdah* is not widely practiced among Edo State Muslims. Traditional religions - the worship of gods and goddesses - as well as modern religions reinforce male dominance. Various deities and ancestral deities are worshipped. These include the following:

Osanobua or *Osa* is the highest God, creator of all things and beings in the world and heaven. Anybody can pray to *Osa* for health, children and other benefits. Within Benin, three shrines of *Osanobua* are said to be on the sites of churches built by the Portuguese in the 16th Century.

Olokun is described as equivalent of the Greek god Neptune (Egharevba, 1949). *Olokun* is the great god of the sea (*okun*). He is said to be a senior son of *Osanobua* and plays a great role in Benin religious life. Urhonigbe in Benin is the main centre of the worship. *Olokun* deity is associated primarily with human fertility as well as wealth, and described as "the fountain of good luck, riches and goodness" (Egharevba, 1949).

Ogun is the deity of iron or metals.

Osun is the deity of medicine and employed to ensure the effective use of all forms of medicine.

Obiemwen is a wife of the earth and described as equivalent of the Greek Uranus. She is described as the mother of all human beings and all living things, and the source of goodness of breeding (Egharevba, 1949).

Ogiuwu is the deity in charge of death. *Ogiuwu* is believed to take people away when their time of death is due. Sacrifices to the deity are meant to delay death. *Ogiuwu*'s head messenger is *Ofoe*, whose duty is to call the dead to heaven.

Orunmila is the Yoruba's (Western Nigeria) divining deity and also worshipped in Benin.

Esu, the devil, in Benin mythology is said to be the director of cunning art and power.

Spirits of the departed or ancestors are also worshipped. Two types of *Erinwmin* (the dead in the spirit world) are distinguished in Benin traditional belief system:

- Individuals or named ancestors with specific genealogical reference are the subject of domestic ancestor worship. When the Benin man dies, his senior son, on fulfilment of performing the necessary mortuary rites, sets up an altar in honour of his late father. If the dead father was a senior son himself and already had an altar for his own father, the senior son then adds carved staves called *ukhure* to the existing altar. The senior son acts as priest to his father, interceding on behalf of all descendants through his late father to the ancestors. Ancestors are claimed to punish offences such as incest, adultery by wives and several offences detrimental to family name. Oaths are taken upon the family altar.
- The collective ancestor or predecessors of a corporate group-*Edion*. The *Edion* spirit is believed to be both the original occupiers of the villages and all elders who had lived in the land and were buried there. All Benin villages have *Edion* shrines called *Ogwedion*. The entire Benin Kingdom has the *Edion* Edo shrine where the *Esogban* of Benin presides over.

Oaths are often sworn before the shrines of these deities to ensure compliance with agreements, etc. Widows are often made to swear before ancestral and other shrines that they had nothing to do with their husbands' deaths. Taboos on women during menstruation and breast-feeding have religious foundations; breaking menstrual taboos will neutralize the power of the gods. Women play no significant roles during religious festivals except where the goddess is worshipped mainly by women, in which case the women serve as priestesses. Women are forbidden to see some traditional masquerades, shrines, etc. Fines are prescribed for violating any of these restrictions. Thus women have a fear of these shrines from which they are excluded. This has made it easy for traffickers to play on the fear of women for traditional deities and ancestors, by making them swear oaths before these shrines to prevent them from revealing their traffickers or to enforce agreements.

Education and employment are major factors in freeing women from some of these negative cultural restrictions. Some experts have explained prostitution and the attendant enhanced incomes, especially international prostitution, as a way some women liberate themselves from these restrictive customs that deny women access to education, employment and higher incomes.

3.3 Legal provisions for human trafficking in Nigeria

The criminal law regime in Nigeria is made up principally of two codes¹ and a number of independent legislations² made to cover contemporary crimes as they affect Nigeria as a nation. Concerning terrorism, environment issues, hard drugs and, more recently, international trafficking, Nigeria like the rest of the world has come face to face with a new wave of criminal activities that threaten the peace of the world order. Unfortunately, however, Nigeria is yet to pay adequate or any attention at all to key issues like trafficking and terrorism even though she has made some appreciable pieces of legislation in the area of environment and drugs³. Therefore, she has had to rely heavily on the principal codes cited earlier to deal with the vexed issue of international trafficking in human beings, particularly minors and young women from Nigeria into other African and European countries.

However, there is a ray of hope concerning a principal and crime-specific legislation for international trafficking in the form of the recently passed *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*⁴. Nigeria is also signatory to a number of international conventions and protocols relating to human rights, slavery, and prostitution and trafficking. All these are summarily treated below.

Federal legislation

The Criminal and Penal Codes

Nigeria has two codes of criminal law. These are the Criminal Code governing all states in the South of the country⁵ and the Penal code, which governs the states of Northern Nigeria⁶. The provisions of these 2 Codes are applied at a “federal

¹ *The Criminal Code Act, Cap. 77 Laws of the Federation of Nigeria, 1990* (applicable to Southern Nigeria) and the *Penal Code (Northern States) Federal Provisions Act, Cap. 345, Laws of the Federation of Nigeria, 1990*.

² See for example: *Federal Environmental Protection Agency Act, the Harmful Wastes (Special Criminal Provisions) Act*; and the *National Drug Law Enforcement Agency Act, Chapters 131,165 & 253 of the Laws of the Federation of Nigeria, 1990*.

³ See the *Federal Environmental Protection Agency Act and the National Drug Law Enforcement Agency Act*, *ibid*.

⁴ The Act establishes a national agency for trafficking in persons which will enforce the laws against traffic in persons, investigate and prosecute offenders and take charge and coordinate the rehabilitation and counselling of victims etc.

⁵ These are: Abia, Akwa-Ibom, Anambra, Bayelsa, Cross River, Delta, Ebonyi, Edo, Ekiti, Enugu, Imo, Lagos, Ogun, Ondo, Osun, Oyo and Rivers States.

⁶ These include: Adamawa, Bauchi, Benue, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kogi, Kwara, Nasarawa, Niger, Plateau, Sokoto, Taraba, Yobe and Zamfara States plus the Federal Capital Territory, Abuja.

level” depending on their jurisdictional application as they affect individual cases and the jurisdiction of the courts trying such cases⁷.

With respect to slavery generally and more specifically trafficking for sexual exploitation, there are various offences created under the criminal and penal codes concerning deprivation of liberty, slave-dealing, defilement and prostitution which may be used to prosecute cases of trafficking in minors and young women for sexual exploitation. In the absence of a comprehensive legislation on trafficking, Sections 222A, 223, 224, 225A, 227, 365, 366 and 369 of the Criminal Code and Sections 271 - 281 of the Penal Code may be relied upon to prosecute cases.

Relevant provisions of the Criminal Code

- 1) Section 222A punishes any person who, having lawful custody, charge or care of a girl under age 13 years, causes or encourages the seduction, unlawful carnal knowledge or prostitution of, or the commission of an indecent assault⁸ upon such a girl with imprisonment for 2 years;
- 2) Section 223 (1) punishes any person who procures a girl or woman under age 18 years (a minor in Nigeria) to have sexual relations with other persons within or outside Nigeria with imprisonment for 2 years. The same punishment is prescribed for any person who procures a girl or woman (major or minor) to either become a prostitute or with intent that she reside in a brothel for purposes of prostitution within or outside Nigeria under section 223 (2), (3) and (4);
- 3) Section 224 punishes any person who by threats, intimidation or false pretence procures a woman or a girl or administers stupefying or overpowering drugs on her to facilitate unlawful sexual relations with a man either within or outside Nigeria with imprisonment for 2 years;
- 4) Section 225A punishes every male or female person who exploits female prostitutes for a living with imprisonment for 2 years for first offenders and for a subsequent conviction of a male offender, imprisonment for any number of years in addition to caning;
- 5) Section 227 punishes any person who conspires with another to induce any woman or girl, by means of false pretence or other fraudulent means to facilitate unlawful sexual intercourse between her and any man with imprisonment for 3 years;
- 6) Section 365 deals with unlawful deprivation of liberty of a person by confinement or detention and punishes the offender with imprisonment for 2 years;
- 7) Section 366 encompasses most of the methods used by traffickers to place their victims under subjection. According to the section, any person who compels another to do any act which he/she is lawfully entitled to abstain from doing by means of:
 - a) Threats of injury to the person, reputation or property of the victim or those of anyone in whom the victim is interested;

⁷ There is one Federal High Court in Nigeria, which has judicial divisions across the federation, and there may be special judicial tribunals set up in any part of the country to look into any criminal matter.

⁸ Indecent assault is defined as sexual and other such immoral abuses.

- b) Persistent surveillance of victim; and
 - c) Other forms of intimidation such as name dropping, seizure of clothing, work tools or other items of property is guilty of an offence punishable with imprisonment for a year;
- 8) Section 369 punishes slave dealing with imprisonment for 14 years upon conviction of any offender. The section defines the offence to include:
- a) Dealing/trading in, purchasing, selling, transfer or taking of any slave, or for the purpose of holding or treating any such person as a slave; or
 - b) Placing or receiving any person in servitude as a pledge or security for a current or future debt; or
 - c) Conveying, sending or inducing any person to go outside Nigeria to enable the person to be possessed, dealt or traded in, purchased, sold or transferred as a slave or be placed in servitude as a pledge or security for debt; or
 - d) Entering into any contract or agreement with or without consideration for doing any of the acts or accomplishing any of the purposes listed in a) -c).

It should be noted that the activities of traffickers in relation to their victims fall squarely within the offence of slave dealing in addition to the offences defined under Sections 223, 224, 225A, 227, 365 and 366 of the Criminal Code already highlighted above.

Relevant provisions of the Penal Code

- 1) Sections 271 and 272 of the Penal Code define the offences of kidnapping and abduction respectively. Both sections provide that whoever entices a minor, male below 14 years and female below 16 years, or conveys him/her outside the jurisdiction of Northern Nigeria, or compels, deceives or induces any person to go from any place is liable to imprisonment for a maximum of 10 years and a fine;
- 2) Section 275 punishes any person who by whatever means, induces any girl under age 18 years to go from any place or to do an act with the intent that such girl will be or is likely to be forced or seduced to illicit intercourse with another person is liable to a fine and a prison term of up to 10 years;
- 3) Section 277 punishes any person who knowingly conceals or confines kidnapped or abducted persons as principal offenders with the same punishment for actual offenders;
- 4) Section 278 provides that any person who buys, sells, hires, lets to hire or otherwise obtains possession or disposes of any person below 18 years with intent that the person will be or is likely to be employed or used for prostitution or other unlawful or immoral purposes is guilty of an offence punishable with imprisonment of up to ten years and liable to pay a fine in addition;
- 5) Section 279 creates the offence of slave dealing and provides that any person who imports, exports, removes, buys, sells, disposes of, traffics or deals in any person as a slave or accepts, receives or detains such person is liable to imprisonment for a maximum of 14 years and a fine;
- 6) Section 280 punishes forced labour with a fine and a year's imprisonment;

- 7) Section 281 punishes the procurement, enticement or leading away of any woman or girl (with or without her consent) for immoral purpose with imprisonment of up to 7 years and a fine.

Thus the provisions of the Criminal and Penal Codes cover some of the main methods of trafficking and coercion of victims in Nigeria.

The 1999 Federal Constitution

The *Constitution of the Federal Republic of Nigeria, 1999* has provisions, which prohibit forced labour, slavery, sexual exploitation and deprivation of personal liberty of Nigerians, young and old alike. Section 35 guarantees personal liberty while Section 34 provides for respect for the dignity of the human person which encompasses non-subjection to torture, inhuman or degrading treatment, slavery/servitude and freedom from forced or compulsory labour. Section 41 guarantees the right to freedom of movement of all citizens in Nigeria.

New legislation

The President, Chief Olusegun Obasanjo, signed into law *The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act*, on the 14th of July 2003. The Act established a National Agency for Prohibition of Traffic in Persons (NAPTIP), which will enforce the laws against traffic in persons. It will also investigate and prosecute persons suspected of trafficking in humans as well as take charge and co-ordinate the rehabilitation and counselling of victims of trafficking amongst others. The Act adopts the definition of trafficking of the *UN Trafficking Protocol*. It also covers trafficking in both national and international borders, and offences such as attempted trafficking, forced labour and traffic in slaves.

State laws

Although Nigeria has 2 operational codes for crime prevention and punishments, some states of the federation have enacted several relevant laws to suit their peculiar socio-cultural circumstances⁹. For example, states of Southern Nigeria are at liberty to amend the criminal code to accommodate peculiar problems. Since the phenomenon of trafficking became notorious and pronounced in the last few years, the current democratic regime in Nigeria has started to look at the problem more critically in the light of the loopholes created by the existing criminal codes as escape routes for traffickers and commercial sex exploiters. In the light of this and the fact that the vast majority of victims of trafficking come from or are connected with Edo State, the Edo State House of Assembly (the legislative organ of the Government) came up with some amendments of the Criminal Code¹⁰ of the State in the year 2000.

⁹ See for example, *The Female Circumcision and Genital Mutilation (Prohibition) Law, 1999 of Edo State* enacted to curb the high incidence of female genital mutilation in the State.

Edo State law against human trafficking

The *Criminal Code (Amendment) Law, 2000* was enacted into law on the 11th of September 2000. The Law was enacted to amend sections 222A, 223, 225 and 225A of the criminal code of the State which is almost an exact *replica* of the federal criminal code already treated above. The amended Sections included the following:

- 1) Section 222A substituted “female person” for “girls under the age of 13 years” and increased the punishment to 7 years in prison or a fine of Naira 50,000;
- 2) Section 223 increased its earlier punishment of 2 years to 14 years in prison;
- 3) A new section 223A was inserted and prescribes the punishment of 2 years imprisonment or a fine of Naira 500,000 or both for any person who “sponsors a girl or woman by giving her any financial, physical or material assistance to enable her travel out of Nigeria” for prostitution or any immoral act or administers any oath on any woman or girl or performs any fetish ritual in order to enable her travel out of Nigeria to become a prostitute or engage in sexual dealings with any person;
- 4) A new section 223B was inserted to prescribe the punishment of 2 years imprisonment or a fine of Naira 10,000 for any female person who engages in prostitution or other immoral acts within or outside Nigeria;
- 5) A new section 223C prescribes 2 years imprisonment or a fine of Naira 10,000 for any man who patronizes prostitutes;
- 6) A new section 223D punishes any woman who lures or induces any man to engage in sexual intercourse with her for any gratification. The punishment is 2 years in prison or a fine of Naira 10,000 or both;
- 7) The new section 225 increases punishment of the offence already defined from 2 years to 10 years in prison or a fine of Naira 50,000;
- 8) The new section 225A substitutes “every person” for “every male person” and increases the punishment by adding Naira 5,000 fine to the existing 2 years’ imprisonment for offenders.

The above amendments effected on the existing criminal code have done little or nothing to criminalize, trafficking in line with trafficking in persons, especially women and children¹¹. The amendments merely criminalized prostitution and set out punishment for those who aid and abet overseas travel for potential prostitutes (*sponsors*) and not those who actually engage in trafficking of minors and young women abroad for purposes of sexual exploitation. The said amendments actually make criminals out of victims of trafficking, who having little choice in the matter, have been made to engage in prostitution abroad. The amendments reflect more of a case of chasing the shadow and leaving the substance as far as trafficking is concerned.

¹⁰ See the *Criminal Code (Amendment) Law, 2000* which was enacted to amend some sections of the *Criminal Code Law, Cap. 48 Laws of Bendel State, 1976as* applicable in Edo State which was carved out of the defunct Bendel State.

¹¹ See Sections 223 A-D of the *Criminal Code (Amendment) Law, 2000, of Edo State*

International Conventions affecting Nigeria

Nigeria is signatory to and has ratified a number of international customary laws which are directly or indirectly related to trafficking. These include:

- *The Universal Declaration of Human Rights, 1948.*
- *ILO Convention on Minimum Age and Forced Labour, 1999.*
- *Convention on the Rights of the Child, 1989.*
- *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979.*
- *Convention for the Suppression of the Traffic in Persons and of the Exploitation of Prostitution of Others, 1949.*
- *United Nations Convention Against Transnational Organised Crime, 2000.*
- *Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, 2000.*
- *African Charter on Human and Peoples' Rights, 1981.*
- *Economic Community of West African States (ECOWAS) Convention A/P.1/7/92 on Mutual Assistance in Criminal Matters, 1992.*

Thus various codes and international conventions exist which can be implemented to reduce trafficking in minors and young women out of Nigeria to foreign countries. It is important to identify some of the constraints of the criminal intelligence agencies in utilizing these provisions to combat trafficking in human beings in Nigeria.

CHAPTER IV

Human trafficking from Edo State: dynamics, routes and modalities

As described in the methodology section, the survey team encountered various problems in obtaining hard data on sex trafficking in the State, mainly because of poor documentation and lack of a database on human trafficking in Nigeria. In particular, administering the questionnaire for Law Enforcement agencies was very difficult. In Edo State it was difficult to obtain data, as most Law Enforcement agents, especially the Bar and Bench, had little information and facts on sex trafficking beyond what they had read or heard in the media or from discussions as very few cases have been brought to the courts for prosecution. Little effort had been made to document movements of victims outside the State. Thus, for those who agreed to complete the questionnaire, their answers reflect their opinions about the situation, and not any hard facts. It was only in Lagos that some data were obtained from officials who were actively involved in combating sex trafficking. The Immigration Services and the Task Force on Human Trafficking Unit of the Police, all at the Zonal Offices at Alagbon Close, Ikoyi, provided some data. Some information was also obtained from the State Security Service in Benin City. This chapter presents information obtained on dynamics, routes and modalities of human trafficking from Edo State.

4.1 Trends in trafficking in women in Edo State

Origins of trafficking in women from Nigeria to Italy

According to one of the experts interviewed, trafficking in women is an over-flogged issue as so much has been said about it already in the past. Aghatise (2002) and some experts trace the beginning of trafficking in Nigerian women and girls for prostitution in Italy to the second half of the 1980s as a result of economic depression in Nigeria and the adoption of the Structural Adjustment Programme. The resulting economic deprivations forced many Nigerians to leave the country in search of better economic opportunities in Europe, Saudi Arabia, the United States, and other countries. This marked the beginning or escalation of the brain drain out of Nigeria. Persistent unemployment among the youth and rising poverty led to the young desiring to go out of the country in search of greener pastures. It also marked the beginning of trafficking in women and minors and escalation of illegal migration out of the country. While the well-educated Nigerians usually found it easier to obtain visas and work permits, this was not the case with the less educated youth, male and female.

Increasing poverty, persistent unemployment and increased stringency in immigration laws, led to the emergence of a market for services that aid illegal and/or irregular migration such as provision of fake travelling documents, transportation, clandestine border crossings, temporary accommodation and job brokering (Germano, 2001). Women and young girls and boys also started to leave the Country on promises of well-paid jobs in factories, offices and farms in Europe. At the early stages, it was possible for women and girls to obtain work in tomato fields and other menial jobs. Traffickers saw an opportunity to make profits and moved in. By the 1990s, say from 1991 and 1992 onwards, more Nigerian women and girls who had been deliberately tricked arrived in Italy (IOM, 1996). They arrived in Italy to find themselves sold into sexual slavery and forced to engage in prostitution. From 1995 onwards, more women arrived who were probably aware that they would have to engage in prostitution to repay their debts. They were, however, unaware of the conditions of violent and aggressive exploitation that they would be subjected to (IOM, 1996). Many of those who came earlier have ended up as the *madams* who have helped to perpetuate the trade because of the increasing profitability of trafficking in women (Aghatise, 2002). At present, scores of enterprises in Edo State and in Lagos have invested in trafficking, they include the recruiters, *trolleys*, passport racketeers, forgers, and others believed to include embassy staff, immigration officers, Police, lawyers, and fetish priests who administer oaths to victims (Guest, 2000; Loconto, 2002).

Volume of trafficking in women from Nigeria

Like in other countries, only very limited data on the volume of trafficking in women is available in Nigeria. Lack of data has been explained as being a result of the underground and illegal nature of trafficking; lack of anti-trafficking legislation in many countries; the reluctance of victims to report their experiences to the authorities; and the lack of Government priority given to data collection and research (Loconto, 2002). According to the former Italian Ambassador to Nigeria, over the last two decades, there has been an upsurge in the volume of human trafficking from Nigeria to European countries, including Italy (Germano, 2001). The Nigerian Embassy in Rome estimates that Italy is the main destination for women and girls trafficked to Europe from Nigeria. Some estimates are that there were about 10,000 Nigerian prostitutes in Italy (Germano, 2001). According to another estimate, about 50,000 Nigerian girls engaged in the sex trade have been stranded in the streets of Europe and Asia, with most of them coming from Nigeria's southern states, Edo, Delta and Lagos. These figures exclude thousands of others in other countries (Loconto, 2002).

Several other reviews also suggest that immigrants from Nigeria make up the largest percentage of foreign prostitutes in Italy, and the population is still growing. Many of them teens, now make up the largest percentage of illegally trafficked sex workers in Italy (Faris, 2002). Turin is reported to be one of the main destinations of Nigerian victims of sex trafficking in Italy (Luda, 2003). It is difficult for women without documents to find work, but it is not difficult for foreign women to find work as prostitutes. It is believed that many of the trafficked women now know they are going to work as prostitutes, but they do not know that they will be

severely constrained, hit, beaten or even killed, and that they will not be able to send money to their families (Faris, 2002). Estimates also showed that in the early 1990s the number of foreign women murdered each year, mainly Nigerian and Albanians, accounted for 6% of all murders, the figure had risen to 23% by 2000. The report also stated that the wife of the Edo State Governor, Mrs. Eki Igbinedion, announced that about 116 Nigerian prostitutes were killed in Italy between 1994 and 1998 (Loconto, 2002).

With respect to this study, much of the available information on trafficking in Nigeria was obtained from the Nigerian Police Force and Immigration Service. The statistics are based on records of repatriated persons from various countries, and those arrested at border posts while trying to leave the country. However, these numbers represent only an unknown fraction of trafficked women and girls from Nigeria. Figures show that the following numbers were repatriated from various countries: 10 in 1997, 225 in 1999, and 1,092 in 2000 (Ojomo, 2001). Majority of the repatriated persons were sent back from Italy and the Netherlands. In 2002, a total of 1,957 persons were repatriated, comprising 1,012 males and 945 females (Immigration Service, Alagbon). Table 4.1 below shows numbers of trafficked victims repatriated from European, African, and other countries in 2002.

Table 4.1 shows that Spain and Italy were 2 major entry/destination countries for trafficking in women and illegal migration to Europe. While most of the repatriated persons from Spain were males, almost all those repatriated from Italy - 592 (93.7%) out of 632 persons - were females. The trend is similar for 2003, several repatriations have taken place this year already from Italy, Spain and the Netherlands.

In general, the numbers of repatriated persons have been on the increase, reflecting a similar trend in the numbers of trafficked women or illegal immigrants, or a greater desire by the authorities of destination countries to repatriate victims to their countries of origin.

Source of trafficked victims

Virtually, all the Law Enforcement agents stated that the major source of victims trafficked to Italy is Edo State, especially Benin City (Oredo Local Government Area). Some others explained that while not necessarily all those trafficked are Edo State citizens, because of the awareness that syndicates that facilitate access to Italy exist in Benin City, those who want to be trafficked to Italy go to Benin City to make arrangements, and that some of them even change their names. In addition, non-Edos who have grown up in Edo State and speak the language fluently also claim Edo State when arrested. Available data show that majority of repatriated persons from Italy are of Edo State origin. These are confirmed by data obtained from the Immigration Service and Human Trafficking Task Force at Alagbon Close in Lagos. Table 4.2 shows state of origin of repatriated persons from some countries, including Italy.

Table 4.1 - Numbers of repatriated persons from European, African and other countries in 2002

Date: 2002	Country	Total	Male	Female
03 January	Spain	25	15	10
20 January	Italy	11	-	11
27 January	Egypt	2	1	1
27 January	Italy	7	-	7
03 February	Italy	40	2	38
13 February	Italy	4	1	3
16 February	Italy	5	-	5
28 February	Benin Republic	4	4	-
20 March	Spain	49	38	11
28 March	Dublin	6	6	-
02 April	Italy	11	1	10
02 April	South Africa	13	13	-
10 April	Italy	100	2	98
29 April	Spain	50	26	24
17 May	Spain	40	14	26
27 May	Italy	8	-	8
05 June	Spain	50	35	15
12 June	Netherlands	40	27	13
14 June	Spain	56	12	44
26 June	Netherlands	24	15	9
05 July	Spain	60	44	16
11 July	Italy	123	7	116
11 July	Spain	60	44	16
25 July	Spain	67	38	29
10 August	Spain	60	41	19
13 August	Italy	32	2	30
04 September	Italy	3	1	2
06 September	Spain	50	39	11
10 September	Italy	4	1	3
27 September	Italy	130	3	127
30 September	Spain	61	32	29
03 October	Spain	41	25	16
08 October	Spain	62	47	15
28 October	Italy	130	10	120
05 November	Spain	31	26	5
20 November	Italy	24	10	14
20 November	Germany	19	18	1
22 November	UK	1	-	1
06 December	Malta	30	18	12
11 December	Netherlands	45	38	7
23 December	Netherlands	30	19	11
TOTAL	From Europe& Africa	1,608	675	933
Jan-December	From Canada & USA	345	336	9
30 January	Bangkok	1	1	-
26 February	Australia	3	-	3
GRAND TOTAL	All Countries	1,957	1,012	945

Source: Nigerian Immigration Service, Zone I, Alagbon Close, Lagos.

Table 4.2 - State of origin of repatriated persons from various countries, 1999-August 2001

Date	Country	Total No. of repatriated persons	Total No. of females	No. of females from Edo State
1999				
16-3	Italy	64	47	58 (M+F)
25-10/12-11	Italy	84	84	71
3-12	Italy	77	75	59
2000				
16-3	Italy	77	75	68
7-6	Netherlands	39	20	21 (M+F)
3-7	Togo	47	47	10
4-7	Mali	4	4	4
19-7	Italy	86	86	79
8-9	Italy	24	24	24
18-11	Italy	24	24	19
1-12	Italy	47	47	10
4-7	Mali	4	4	4
19-7	Italy	86	86	79
8-9	Italy	24	24	24
18-11	Italy	24	24	19
1-12	Italy	121	107	104
2001				
30-1	Italy	9	8	6
2-2	Italy	6	6	6
3-2	Italy	5	5	5
22-2	Italy	4	4	2
26-2	Italy	6	6	6
27-2	Italy	8	7	6
9-3	Italy	3	1	1
10-3	Italy	4	2	-
16-3	Italy	2	2	2
5-4	Italy	92	87	82
10-4	Italy	10	10	9
12-4	Italy	4	4	3
15-5	Italy	120	-	-
9-6	Abidjan	7	6	6
10-7	Abidjan	14	14	14
13-7	Netherlands	12	3	3
2-7	Spain	57	-	44
17-8	Guinea-Conakry	33	33	26
21-8	Algeria	92	50	65 (M+F)

Source: Task Force on Human Trafficking, Alagbon Close, Ikoyi.

The table shows that an overwhelming majority of repatriated persons from European and African countries are citizens of Edo State. An Interpol Officer informed the team that the prostitution ring in Europe appears to have been zoned out among some Nigerian ethnic groups. While Edo State citizens monopolize the Schengen States, especially Italy, Spain and the Netherlands, the Yorubas and the Ibos dominate the United Kingdom and the USA. Northern women dominate the Saudi Arabia route. Edo State citizens were the first to start the trade in trafficking and have monopolized the trafficking routes of women to Italy. Many former

victims are now themselves *sponsors* and *madams*. During focus group sessions with repatriated persons, victims stated that Italy is the preferred destination because it was easier to operate as prostitutes in Italy than in other European cities.

Most of the repatriated persons from Edo State are from a few Local Government Areas inhabited by the Bini ethnic group.

Trafficking is now so ingrained in Edo State, especially in Benin City and its immediate environs, that it is estimated that virtually every Benin family has one member or the other involved in trafficking either as a victim, *sponsor*, *madam* or trafficker. Many families pride themselves on having their daughter, wife, sister, or other relation in Italy, Spain or the Netherlands, pointing to houses, cars, boreholes and other material things acquired with the money sent by their daughters. This is especially noticed in obituary announcements where all surviving children are in one European country or the other.

The 32 experts who were interviewed in this study were asked why they think Edo State was a major source of victims. A total of 23 persons (71.8%) agreed that there was preponderance of Edo women involved in the saga. Top on the list of reasons they attributed to this include the flagrant display of wealth, early exposure of the Edos to trafficking leading them to dominate the scene and greed. Other reasons also given include lack of opportunities for employment, poor state of the economy, and lack of industries. One expert emphasized that it was the abolition of female circumcision in the State that had made the females promiscuous (female circumcision was only recently abolished in the State). One expert opined that an important reason why Bini women were the majority is the inferior status of women among the Edos. Women are not given the opportunity to actualize themselves through education and good jobs. The opportunity to earn incomes abroad gives them a feeling of achievement that somebody is willing to pay for their services.

Some respondents (4) however did not believe that there were more Edos involved, 1 believed they were just being made scapegoats, while 1 felt that repatriated girls claimed to be Edo, since it was fashionable to do so. Only 1 respondent stated that he did not know if Edo indigenes were more involved than other tribes.

A high percentage (78.6%) of the respondents admitted that the trafficked girls on reaching the destination country engaged in commercial sex work, 25% said they were involved in odd menial jobs like factory hands, waitresses, farming, and nannies. Only 10.7% claimed awareness of their involvement in drug trafficking.

4.2 Profile of victims

A total of 29 in-depth interviews with victims were conducted within the Benin metropolitan area. Three sets of focus group discussions were also held. Nineteen of the in-depth interviews and the focus group discussions were held in offices of 2 NGOs in Benin, who assisted in selecting the victims. An NGO also assisted in

getting victims for other in-depth interviews. Two more interviews were held in Benin at the house of a Chief where cases involving trafficking were often settled. From that same source some other victims were selected for interviews in their private houses or a convenient place such as the victims friends house. Four female undergraduates of the University of Benin also had former secondary school classmates, childhood friends and neighbours, who were victims: they were also interviewed.

All the victims unanimously claimed that the main reason why they and other youths with similar experiences travelled abroad was because there was no money forthcoming for them, and no jobs were available. Even when some got jobs, the income from such jobs were not sufficient, some could not get suitable jobs nor had sufficient money for higher education, hence the desire to travel outside the country to seek greener pastures. Since other youths like them had travelled abroad and were relatively doing well, they too wanted to leave the country. Other reasons were: low level of education of girls; large family size; polygamy; poverty, and lack of good moral upbringing of children nowadays.

Italy, the Netherlands and Spain were the most popular countries they desired, and Belgium, Germany and Austria were second best. One victim stated that the United States of America was the place many youths would have loved to go to, but it was quite difficult to travel there. Also, they were compelled to travel to the European countries they mentioned because that was their *sponsor's* choice for them. Apart from European countries, victims were also lured to some African countries such as Mali, Ghana, Togo, Ivory Coast, Benin Republic, Senegal, Chad, Niger, Burkina Faso and Morocco.

Twenty-seven of the victims came from Edo State, while 1 came from the adjoining Delta State. One victim was originally from Akwa Ibom State, but was born in and had lived all her life in Benin City. They were all trafficked/repatriated between 1999 and 2003. Only 1 victim had travelled abroad and had been repatriated 3 times, 3 others had travelled abroad and been repatriated twice. All other 25 victims had only travelled abroad once. Eight of the victims never made it into Italy, having got stuck or been repatriated from transit countries, or from the airport on arrival in Italy. Most victims were in Italy for a period as short as 6 weeks and as long as 3 years. Most of the victims interviewed were repatriated within 3 months to 1 year of their stay. It should be mentioned that most of the victims in this study were those who wanted to return home when they found out that they had been trafficked for prostitution. Table 4.3 shows the ethnic background of victims.

Table 4.3 - State/Ethnic group of victims

State	Number	Ethnic group	Number
Edo	27	Bini	20
		Ishan	6
		Akoko-Edo	1
Delta	1	Agbor	1
Others	1	Efik-Akwa Ibom	1
Total	29		29

Source: Interviews and focus group sessions with victims.

The dominance of Edo State in the entire trafficking business is acknowledged, but victims claimed that people from some other states, such as Cross-Rivers, Ondo and Delta States, are involved in trafficking. Some also claimed that not every victim who claimed they were from Edo State was actually from the State. One victim said that some non-indigenes may have grown up in Benin and thus claim the State. Some other victims known to them simply claimed false identity when repatriated, and preferred claiming Edo State, as it is already known for trafficking.

Age of victims

Victims were aged between 16 and 28 years old when they were trafficked. Girls within the ages of 18 and 20 years were more in number. Those below 18 years (minors) at the time of being trafficked were 4 in number. The oldest of them all, a divorcee with 4 children, was 28 years old. All the victims were relatively good looking with no physical disability or defects. The age distribution is shown in Table 4.4 below.

Table 4.4 - Age of victims at the time of being trafficked

Age (Years)	Number
16-17	4
18-20	16
21-25	7
26-28	2
Total	29

Source: Interviews and focus group sessions with victims.

Religious affiliation

Most of the victims were/are members of Pentecostal Churches now prevalent in the Country. Pentecostal Churches come in all forms. Two victims belonged to the Celestial Church of Christ, where visions and prophecies are widespread. Some of these Pentecostal Churches in Benin City preach prosperity, and the benefits of seizing opportunities to travel abroad. However, some also decry trafficking of victims.

Two victims got relief from these Pentecostal Churches after being repatriated. A victim who was running mad as a result of the oath she undertook before travelling got 'deliverance' and treatment from a well-known Pentecostal Church in Nigeria. The pastor actually called out to the victim in the midst of a very large crowd, that there was a victim who was suffering from mental problems as a result of an oath and being trafficked abroad. The victim is now sane and has become a member of the Church. Another repatriated victim found refuge in another Pentecostal Church, the pastor assisted in her rehabilitation after repatriation. All the Catholic victims were voluntary repatriated persons who took refuge with an NGO with Catholic affiliation.

Table 4.5 - Religious affiliation of victims

Religious affiliation	Number
Catholic	8
Anglican	4
Pentecostal	16
Muslim	-
Traditional	-
None	1
Total	29

Source: Interviews and focus group sessions with victims.

Educational status of victims

In Nigeria primary and secondary school education in Government schools are meant to be partially free. Most children have the opportunity to read up to the secondary senior certificate level without putting financial strain on the parents. As such a basic secondary school senior certificate is regarded as a low educational status. In this study, 1 victim was a first-year university undergraduate, studying Mass Communication, when she was recruited. Seventeen were senior secondary school graduates having completed 6 years of secondary school education. Two victims were in their 5th year and were recruited a year before their senior school certificate examinations. Six others had completed only 3 years in secondary school and had obtained the junior secondary school certificate. The least educated had completed only 5 years of primary school, and was a divorcee with 2 children. Three others had completed 6 years of primary education, 1 of whom was a divorced mother of four.

Table 4.6 - Educational status of victims

Education	Number
University undergraduate	1
Senior School cert.	17
Junior School cert.	7
Primary five/six	4
Other	-
Total	29

Source: Interviews and focus group sessions with victims.

Employment before travelling

Many of the victims were unemployed when they were recruited. After completing their secondary school education, they could not secure jobs or continue in a higher institution. Two divorced women were previously involved in trading in soft drinks and general provisions in their husband's houses, but lost

their shops when they had to leave their husbands. Others claimed they tried to eke out a living through trading, fashion designing and hairdressing.

Table 4.7 - Employment prior to travelling

Employment	Number
Unemployed	9
Still schooling	5
Trainee fashion designer/hairdresser	3
Trading/business	5
Fashion designing/tailoring	4
Hair dressing/plaiting	3
Total	29

Source: Interviews and focus group sessions with victims.

Marital and family status

Two of the victims are divorced women with 4 and 2 children respectively. One victim is a single parent. Five of the victims claimed that they are engaged to be married at present, they were all single when they travelled. Twenty-seven of the victims were not married when they were trafficked.

Ten of the victims came from monogamous homes, while 18 were from polygamous homes, and a single parent (the mother) raised one. Fifteen of these victims were among the first 3 children in their families. Nine out of these 15 were either first-born children or were first daughters of their families. Only 2 out of the victims were the last born of their families. Some victims claimed that they were the breadwinners in their homes; a victim described the situation thus: *“I had to take care of my family because my parents are jobless and incapable of taking care of the finances. So, I had to be responsible for them”*.

Another victim also declared: *“It is because of my responsibility as a first child, living without a father”*.

Parents of victims belonged to the lower class cadre in the Nigerian socio-economic class structure.

Table 4.8 - Educational qualification of victims' parents

Qualification	Father	Mother
University education	2	1
Post secondary school	5	2
Secondary school	12	9
Primary school	4	12
Other/not known	4	2
No schooling	1	2
Deceased	1	1
Total	29	29

Source: Interviews and focus group sessions with victims.

Only 2 of the victims' fathers had University education. Other fathers had mostly secondary school. Only 1 victim's father never attended any formal school. Most victims' mothers were even less educated than their husbands. Only 1 mother had a University education, some attained the secondary school education while majority attended only the primary school.

One victim was an orphan, while 5 others had lost a parent. Victims' mothers were either trading in various goods and commodities in the market or were farmers. Those who were employed by the Government had been retired. Victims' fathers had various types of jobs such as civil servants, bank workers, transporters/long distance drivers and car mechanic (panel beater). Others were farmers and 2 were described as businessmen.

Nearly all the victims had known a close trafficked friend or relative. Nine of the victims had their brothers or sisters already in European countries.

4.3 Recruitment methods and practices

Information on recruitment methods and practices was obtained from interviews with victims and from interviews with Law Enforcement agencies, especially the Police and Immigration Service, as well as from case file analysis.

Mode of contact and place of recruitment

Mode of contact: While most of the bar and bench who were giving their personal impressions said that in about 60% of cases, the victims seek out the recruiters, the converse was the view with agencies such as the Police, Immigration and the State Security Service (SSS). The officials of these agencies stated that for between 60-80% of cases of trafficking, the recruiters seek out the victims. The most frequently mentioned ways (by almost all Law Enforcement agents) through which victims and recruiters come into contact with one another were: through word of mouth (58.1% of respondents), through family members (83.9%), and through acquaintances (87.1%). In the opinion of Law Enforcement agents, family members and acquaintances appear to be the most influential, they accounted for between 50-80% of contacts between victims and recruiters. Other modes of contact mentioned were through audiocassettes and letters purportedly written by relations or acquaintances already in destination countries.

Discussions with colleagues and some Binis, as well as one of the cases under prosecution in the High Court, showed that one of the modes of recruitment was to recruit young women as artistes in performing and musical troupes and traffic them abroad. The girls never returned with the troupe to Nigeria. Girls were also trafficked through sports competitions abroad, and sometimes through religious festivals.

Interviews and focus group discussions with victims suggest that acquaintances and family members exerted a lot of influence on victims as will be presented later.

Place of recruitment: The most frequently mentioned places of recruitment by Law Enforcement agents were: at home (83.9%) and in the neighbourhood (77.5%). Less frequently mentioned were bar/restaurant/hotel (38.7%), and at school (29%). One Law Enforcement agent mentioned that some victims are recruited as waitresses in hotels and then trafficked abroad. Agents or recruiters usually go to victims or their parents at home or in the neighbourhood (at their friends' or relation's homes) to convince them to undertake the trip abroad.

Who recruited the victims? Law Enforcement agents were of the view that most victims were recruited by individual agents as well as by groups of recruiters, with individual agents accounting for between 40-80% of recruitment. Individual agents of *sponsors* usually approached the victim or her relations to sell the idea of travelling to Italy. Such individuals included in order of frequency of mention: friend/acquaintance of the victim or family (76.7%); family member (63.3%); a formerly trafficked person (53.3%). Some victims met the *sponsor* in person, for example, some of the victims interviewed were contacted by the *madams* based in Italy who travelled to Benin City to recruit girls. Some of these *madams* stay in hotels while their agents bring the victims to them to finalize arrangements. The survey research team witnessed one such transaction while they were holding a discussion session with the survey team from UNICRI/UNODC in one of the popular hotels on Benin City.

Experiences of victims

The experiences of the victims reveal the following about the mode of contact and the recruiter.

Their first contact is usually with the recruiter. Some recruiters also assist victims in facilitating travelling documents. After this stage of the first contact, other people may come in to help the recruiters to expedite action. Next, they travel with someone who is frequently described as a *trolley* or "*dago*". *Trolleys* are usually young men.

There is usually a *sponsor* who has paid for the documents and trip. The *sponsor* is said to "own" the victim. Some *sponsors* are also *madams*, in other words, the final employer of the victims in Italy. At times, *sponsors* sell victims to *madams*. *Sponsors* on their own have also done the entire job by themselves, recruiting and travelling with victims and ending up as the victim's *madam*. Those who travel through the desert have Arab escorts, usually truck drivers who know their way through the desert. Some individuals also receive some victims in safe houses prior to their final destinations.

"*Madam's boy*" or "*Madam's black boy*" were young Nigerian men often buddy or companion ("contract husbands") of the *madams* who ran errands for the *madams*. They sometimes went to airports and train stations to collect the victims on arrival. Victims finally met with previous victims (who were already used to the

job), as arranged by *madams* and who were instructed to encourage the new victims in the business.

The recruiters sought out 18 of the victims, while 4 victims went in search of the recruiters. Two victims claimed they experienced both, they went in search of recruiters, and recruiters were also looking out for them.

Table 4.9 - How victims were recruited

Recruitment method	Number
Advertisement	-
Word of mouth	1
Family/ Close friend	16
Acquaintances	6
Business	3
Internet	-
Other/Stranger	3
Total	29

Source: Interviews and focus group sessions with victims.

None of the victims was abducted, but they all claimed that they agreed to travel of their own free will but were deceived about the nature of the job. One victim was initially doubtful but was convinced after a while. Generally speaking, their recruiters, with examples of success stories and very good prospects of finding suitable and ‘decent’ jobs abroad, lured them all. These jobs were: housekeepers or nannies and maids, trading in African products and attires, hair dressing (weaving African hairstyles), working in factories, farms, industries and restaurants. Three of the victims were even promised opportunities for further education. According to a victim: “*My Aunty, (my mother’s sister) promised to take me to further my education abroad*”.

None of the victims suspected that they would be asked to prostitute.

At least 14 victims were in one-way or another very familiar with their recruiters. They were either relations (an aunt, a sister) or people who had assisted their friends and members of their families before. A victim’s friend’s mother recruited her. A man who previously lived in the same house with her family recruited another: “*A man who was our former neighbour (they had moved out of the house) he often travels abroad, came to tell me about going abroad. I was not interested initially, but he promised me that I will get work to do*”.

Another victim narrated: “*My customer in the market who used to buy things from me, travels to Italy a lot. She just saw me and told me that she would help me to travel to Italy*”.

Table 4.10 - Recruiters of victims

Recruiter	Number
Family member	3

Friend/acquaintance of victim or Family	15
Taxi-driver	-
Hotel owner /employee	-
Stranger	7
Employer	-
A former trafficked person	3
Group of people	-
Job agency	-
Travel agency	-
Other	1
Total	29

Source: Interviews and focus group sessions with victims.

Initial recruitment usually begins in the victim's familiar territory like home or workplace. Successive discussions sometimes shift to the recruiters designated venue: hotels, bars and restaurants are sometimes the final venues for arrangements, as some *sponsors/madams* prefer to reside in hotels and to familiarize themselves with the victims.

Table 4.11 - Place of recruitment of victims

Place	Number
Home	19
School/Work	4
Bar/Restaurant/Hotel	1
Neighborhood	2
Market place/Business premises	3
Other	-
Total	29

Source: Interviews and focus group sessions with victims.

All victims got their travelling papers (legitimate or false) with ease. Nearly all the travelling papers were false. They ranged from Beninise, Ghanaian, Togolese and Senegalese indigenes' passports. One victim was given the passport of a 42-year old Ghanaian woman with her picture superimposed, but she was repatriated from Italy on arrival at the airport. Other Nigerian passports were used, with victims photographs superimposed which some victims called "duplicated or transplanted passport". Some victims who travelled by land had no papers or travelling documents, until they got to a transit country. Nearly all victims had to submit their papers to their *sponsor* or *madams* on arrival at their destination.

4.4 Trafficking routes into Italy

There are three major exit points for victims being trafficked out of Nigeria. These are Lagos, Calabar and Katsina. Information from the case files under investigation reveal that victims of trafficking from Edo/Delta State use Lagos and Katsina States as exit points. The Katsina route is exclusively for victims travelling by land while those travelling by air and by land use the Lagos exit points.

For those travelling from Lagos by air, the route is either a direct flight from Lagos to France (from where they travel by train to Italy) or directly to Italy from Lagos. When the security checks made it very difficult to take direct flights, the route switched from the Lagos Airport to travel by land from Lagos to Ghana or Abidjan and by air from there to France or Italy. There is also travel by land from Lagos through Benin Republic on to Mali or Niger Republic and by air from there to the destination country. There is also travel by land all the way through Niger and the desert to Algeria or Libya or Morocco from where flights are available to destination country or to France and subsequently by train to Italy.

For the land routes, the exit points are Lagos and Katsina/Borno. Victims and traffickers exit from Lagos, through Benin Republic, Togo, Ghana, Cote D'Ivoire to Mali/Niger to Algeria, Morocco or Libya. The Katsina/Borno route involves a long journey from Benin City to the Northern State of Katsina/Borno where victims exit directly into Niger Republic from where they move on through the desert to Algeria, Morocco or Libya. From any of the North African countries victims go by air to either France or directly to Italy or any other European country from where they fly or travel by train to Italy. The only sea route is from Morocco to Spain by boat. Some victims are also trafficked from Kano to Sudan from where they are trafficked to Europe and the Middle East (Saudi Arabia).

While travelling by land, motor vehicles (jeeps) are used. In some areas, victims trek through long distances particularly in the desert regions. They are kept in hostels/brothels and safe houses along the routes. There is no definite time spent by victims in any particular country along the routes. A combination of factors which include availability of cash, religious festivals, availability of documents, work schedules of collaborating immigration officials, availability of safe transportation and health of the victims determine how long victims stay in a particular place on the route. A victim may spend 2 weeks, 2 months or 2 years on the way. It is mostly a combination of luck and available cash.

In summary, the main trafficking routes to Italy mentioned by victims and Law Enforcement agencies (Police, Interpol, and Immigration) are as follows:

1) **By air:** Travelling by air involved various routes as follows:

- Direct flight from Lagos to Italy
- Lagos - France - Italy
- Lagos - London - Italy
- Lagos - Accra (by road) - Italy (by air)
- Lagos - the Netherlands- Italy
- Lagos - any Schengen country - Italy

2) **By land/sea:** This involved several options as routes changed depending on how safe it was considered to use certain routes. The options here were:

- Lagos - Togo - Morocco - Spain - Italy
- Lagos - Togo - Libya - Italy
- Lagos - Togo - Morocco - Spain - France - Italy
- Lagos - Togo - Burkina Faso - Morocco - Spain - Italy
- Lagos - Togo - Burkina Faso - Mali - Spain - France - Italy

- Lagos / Benin City - Katsina / Borno - Chad / Niger - Libya - Spain - Italy
- Lagos / Benin City - Chad/Niger - Libya - Italy
- Lagos - Togo - Burkina Faso - Mali - Algeria - Italy
- Lagos - Mali - Algeria - Morocco - Spain - Italy
- Nigeria - Benin Republic - Guinea Conakry - France - Italy
- Nigeria - Chad - Libya - Malta - Italy
- Kano - Sudan - Europe including Italy.

A few went through South Africa and the Middle East, while some also travelled from Kano to Sudan to Europe and the Middle East. Going by land involved travelling many days in the Sahara Desert in tightly packed jeeps with up to 20 or more victims (male and female) to safe houses along the way. According to the victims, the drivers of the jeeps were usually Arabs who taunted them along the way when they complained about the hazards of the journey. The journey by land lasted between 1 to 6 or sometimes 8 months as traffickers stopped at various transit camps, sometimes for up to 2 months to prepare fake travel documents and to wait until it was safe to continue the journey. The victims crossed from Morocco to Spain by sea in small boats carrying up to 20 or more persons. Crossings were done at night to avoid Spanish maritime patrol boats. Several victims have drowned as their boats capsized while trying to avoid patrol boats.

Travel routes of victims

The information obtained from the victims showed that trafficking routes varied from victim to victim but some similarity exists in these routes. Some journeys were as short as only one day while some were as long as six months. The following patterns were reflected:

1) Only 4 of the victims had direct flights from Lagos to Italy.

2) Some victims stopped over in 1 or 2 transit countries for either a short stay or considerable length of time as follows:

- Benin City to Lagos to Austria to Italy
- Benin City to Lagos to Ghana by road and direct flight from Ghana to Italy
- Benin City to Lagos to (Cotonou) Benin Republic by road to Ghana to Italy
- Benin City to Lagos to (Cotonou) Benin Republic by road to (Abidjan) Ivory Coast to Italy
- Benin City to Kano to (London) United Kingdom and train to Italy
- Benin City to Lagos to (London) United Kingdom to France and train to Italy
- Benin City to Lagos to the Netherlands and never made it into Italy.

3) Longer routes to Italy and stopover at transit countries. These routes included:

- Benin City to Lagos to Ghana to Austria to Italy by train
- Benin City to Lagos to Togo to Ethiopia to South Africa to France and finally by train into Italy.

4) Through the Sahara desert / long distances covered by road and boats. The routes of those who travelled through the Sahara Desert included the following:

- Benin City to Lagos to Ghana to Kalit to Gao to Morocco to Spain on a boat to Italy by rail
- Benin City to Kano to Niger Republic to Algeria to Morocco to Spain on a boat and Italy by rail
- Benin City to Kano to Niger Republic to Algeria to Morocco to Spain, but never made it into Italy
- Benin City to Lagos to (Cotonou) Benin Republic to Mali to Algeria and got repatriated while waiting to enter Europe.

One victim had a detailed description of their long journey through the desert that lasted 1 month. Benin to Kano to Niger Republic to Agades to Tamarasset to Regan to Adras to Gadaya to Oran to Magnaya (border of Morocco and Algeria) to Morocco and eventually into Europe in a boat occupied by about fifty people. Table 4.12 below shows the routes used by victims.

Table 4.12 - Trafficking routes used by victims

Routes	Number
Direct flight to Italy	5
One or two transit countries	9
Longer routes and many transit countries	9
Through the desert and boat to Europe	6
Other routes	-
Total	29

Source: Interviews and focus group sessions with victims, Benin City.

Transit countries

The main transit countries used by traffickers as identified by victims and Law Enforcement agents include the following:

- ECOWAS countries: these included Benin Republic, Togo, Ghana, Cote d'Ivoire, Guinea Conakry, Mali, Burkina Faso, Senegal, Chad, and Niger Republic;
- Maghreb countries: these included Algeria, Libya and Morocco. Eventually, many of the victims ended up in Morocco from where they travelled to Spain by sea. Others flew directly to Italy from Algeria or from Libya;
- Other African countries: these included Sudan, Ethiopia and South Africa
- Schengen visa countries: these included Spain and France, Germany and the Netherlands;
- Other European countries: these included UK and Russia.

At various transit camps, agents who were mainly Nigerians were resident. They provided victims with new travel documents. Some victims said that they left Nigeria with their own genuine passports. A victim reported that in Ghana, some hotels run by Nigerians are used as safe houses. Victims stay there free of charge, the hotel costs are all included in the costs of transportation. In Bamako/Goa, or other transit camps, new passports, previously used by others, were given to them.

Some victims travelled by road to Accra where travel documents were given to them to travel by air to Italy. Victims usually met up with other victims from other *sponsors*. They were usually asked to pretend not to know each other on arrival at the airport in Italy. Some of the victims who crossed to Spain by sea, were met by agents who escorted them to Italy. Victims usually travelled to Italy by train. Agents recognized them by their passport photographs that were sent to agents in advance, or by the clothes they were wearing. A few victims were given the addresses of hotels where they were picked up by agents of their *madams*, or met at train stations. A victim said that those who travel through transit European countries were more likely to succeed in arriving to Italy by train, as officials were more friendly in such countries (France, the Netherlands), since it was not their final destination. It was relatively easy to enter Italy by train from another European country.

Experiences in transit countries and along the routes

Except for those victims who travelled by air, victims who travelled by road and sea faced a lot of hazards, which included:

- **Unknown duration of journey:** The duration of journeys by road, especially through the Sahara Desert could take from 2 to 8 months, depending on the estimated ease of using some transit points to Italy. Sometimes, victims waited for about two months at transit camps to prepare new documents for victims, or to wait until it was safe to continue the journey.
- **Restriction of movement:** At transit camps, victims' movement was restricted, especially in Muslim countries where women's movement is restricted. Victims were usually confined to their rooms or compounds. Sometimes, they were moved from one residence to another, especially during raids by Law Enforcement agencies (as reported by victims).
- **Sexual violence:** Some victims were hired out for sexual exploitation by recruiters to earn money while they were stranded in camps. Some victims ended up getting pregnant before arriving to Italy. One of the victims interviewed was already 2 months pregnant before she arrived in Italy. Her *madam* sent her agent to abandon her near a hospital after administering some drugs to her which made her very ill. One victim admitted that she was made to engage in sexual acts with multiple partners which were filmed (pornography).
- **Risks:** Victims were exposed to various dangers along the route, especially through the Sahara desert. As reported by the victims, they suffered from hunger, thirst and sandstorms on the desert. One victim reported that they were wandering for nearly 20 days in the desert because their driver missed the way, they ended up in a settlement before retracing their way to the transit camp. Sometimes, victims walked for days in the desert. Several victims have died in the desert, their bodies were merely covered with sand and the journey continued. Victims were also at risk of drowning when they crossed from Morocco by sea at night in overcrowded boats. There have been reported cases of several Nigerian victims drowning when their boat capsized

(a Nigerian Television Authority news broadcast in 2003 reported a case of several Nigerians drowning while trying to cross to Spain by sea).

- **Repatriation before arrival in Italy:** Some victims (8) never arrived in Italy their original destination. Some ended up being stranded in West African countries, while others were repatriated from transit countries such as Benin Republic, Togo, Libya, and Spain several months after leaving home. Several victims were also arrested, along with their traffickers, at various border posts by Nigerian Immigration officers.
- **Repatriation at the airport:** Some victims were repatriated at the airport (Rome or Milan) for travelling with fake papers. One of the victims interviewed was repatriated from the airport, and ended up stranded in Accra, before she eventually returned to Nigeria.

Whether moved individually or in groups

Majority of Law Enforcement agents (50%) felt that most victims were moved in groups, while 36.7% felt that a combination of individual and group movements took place. As confirmed by the victims, at some stages, the victim might be the only person being moved, for example, when the travel arrangements are being made. Different victims for different *sponsors* often met at transit camps, preparatory to the journey to Italy. Thus, several victims who arrived individually may travel together on the same flight by air, or in the same jeep if travelling by road. Very often the victims travelling together do not know each other before. According to the victims who travelled by land through the Sahara, as many as 24 of them were tightly packed into a jeep to travel across the Sahara Desert. Similarly, when they crossed by sea from Morocco to Spain, there were more than 20 victims tightly packed into a small boat at night.

With respect to the victims interviewed, only 3 travelled alone unaccompanied, but were received on arrival by their *madam* or her assistant. Others travelled in company of someone from Nigeria who assisted in organizing the trip. Outside Nigeria, few other individuals in transit countries joined the victims on their journey.

Awareness of risks along the route or likelihood of being forced into prostitution

The Law Enforcement officers are of the view that most of the victims are not aware of the risks and dangers they face along the route: 56.7% of respondents think that the victims are not aware of the dangers, while 23.3% believe the victims have an idea of the dangers. With respect to whether the victims know that they are going to be engaged in prostitution when they arrive in Italy, 56.7% of Law Enforcement agents believe that the girls are aware that they are being deceived, and that they will end up as prostitutes in Italy. Their estimate of the proportion of victims who are aware of this fact varies between 30-90%. Their views are based on the fact that there is great awareness of sex trafficking to Italy in the community, and most victims and their parents know that they (the victims) are highly likely to end up as prostitutes, even though they pretend that they are being deceived. The

Punch newspaper of 22nd of June 2003, reported the story of 18 female victims, and their traffickers who were arrested at Idiroko border on their way to Benin Republic *en route* to European countries. Almost all the girls, 16 out of 18, admitted that although they were promised different kinds of jobs outside Nigeria, deep within them, they knew they could end up as prostitutes. They had little choice as they would prefer that to being idle or begging for food and money in Nigeria. Most of these girls had completed secondary education but could not find employment and had no funds to continue their education.

However, the victims who were interviewed in this study stated that they were assured by the traffickers that they were not going to engage in prostitution in Italy. They were promised different kinds of jobs - as hairdressers (African hairstyles), dressmakers, shop attendants, etc. It was only on arrival in Italy that they were told that they were going to be engaged in prostitution.

4.5 Exploitation practices by traffickers and experiences of victims

Exploitation practices by traffickers

Nigerian victims of human trafficking are deceived and exploited in different ways by human traffickers within Nigeria, along the routes as well as when they arrive in Italy. These coercive and exploitative practices take various forms:

- Deception about conditions of work
- Coercion of victims:
 - Seizure of travel documents
 - Threats/physical violence to victims
 - Threats to relations of victims
 - Oath-taking
 - Restriction of movement/communication
 - Seizure of earnings of victims
 - Sexual exploitation.

Deception about conditions of work

The beginning of exploitation of victims starts with deception about the conditions of work when they arrive to Italy. Majority of the Law Enforcement agents (93.3%) agreed that recruiters lie to victims and their relations about what victims would experience during the trip and after their arrival in the destination country. The most common types of deception (lies) in terms of frequency of mention by respondents were:

- Deception about nature of work 82.3%

- Deception about conditions of work	80.0%
- Deception about living conditions in destination country	76.7%
- Deception about destination country	66.7%
- Deception about method of travel	46.7%
- Deception about immigration rules in destination countries	53.3%

It was also mentioned that victims are deceived through purported videocassette recordings from friends and relations in destination countries, describing life as being very promising in these countries and inviting them to come and join them.

These forms of deception were confirmed in focus groups sessions with victims. A victim was deceived that she was going to America, and ended up in Benin Republic. She was brought back to Nigeria and dumped near a hospital by her *madam* because she was pregnant. The victim ended up with a hysterectomy, and is still suffering from bouts of depression because she is finding it difficult to reconcile herself to not having a baby again. However, some of the respondents (Law Enforcement agents and experts) were of the view that most victims can no longer pretend that they do not know they will end up as prostitutes in Italy, given the level of awareness about sex trafficking in the community. They may, however, be unaware of the hazardous conditions of work for street prostitutes in Italy (scanty clothing in the rain and snow, working all night, seizure of their earnings and violence by *madams*, violence from male clients, etc.).

Coercion of victims

Seizure of travel documents: Majority of Law Enforcement agents (90%) stated that traffickers usually seized the travel documents of victims (passports, tickets) as soon as they arrived at the destination country. This was to make them dependent on the traffickers and to make them afraid to report to Law Enforcement agents since they had no documents. They could also not return home with their air tickets if they travelled by air. This was confirmed during the interviews as all victims had to be issued travel papers by the Nigerian Embassy for them to return home. The conditions for returning the papers are that the victim must pay back the agreed sums and cooperate with the traffickers. Many victims ended up being repatriated.

Threats and physical violence: Many Law Enforcement respondents stated that recruiters use or threaten violence against victims in Nigeria (80%) as well as in Italy (76.7%). Victims were often threatened and subjected to physical violence by their *madams* and her agents, especially on arrival in Italy when victims tried to resist being forced into prostitution. In Italy, the *madam's* agent monitored their movements through mobile phones and sometimes patrols of the streets to ensure that the victims were not trying to contact anybody. Some of the victims were beaten up by the *madam/sponsor*. In some cases, some *madams* used hot irons to mark their victims as a form of punishment. According to the victims, many *madams* usually had a Nigerian lover whom they referred to as her “*black boy*”. This “*black boy*” was the “*madam's* agent”, he monitored all the victims and

obeyed her orders. An immigration officer explained to us that these “*black boys*” were “contract husbands” to the *sponsors/madams* who paid them large sums of money to be their husbands for an agreed number of years (up to USD 300,000). While the “marriage” lasted, he had to obey all her orders. The capacity of recruiters to use violence on victims was rated moderately to extremely high by 90% of Law Enforcement respondents. In extreme cases, traffickers killed their victims. Victims also experienced violence from their male clients in Italy.

Administration of oaths on victims: A major way through which traffickers control their Nigerian victims, is by making them swear oaths before traditional shrines or spiritualists that they will repay an agreed sum of money when they get to Italy. The sums ranged from USD 40,000 - USD 55,000. It takes 2 to 3 years to repay the money, although the victims are given the impression that they can repay the money in a few months. The oath sworn was that something terrible would happen to the victim if she does not pay this agreed sum or if she revealed the trafficker’s identity. The victims swore to this oath before leaving Benin City, although some of the victims interviewed said that they did not swear to any oath until they arrived in Italy. Fear of this oath is the major psychological instrument of control of Nigerian victims in Italy as they are so scared of the oath. During the swearing, victims had to supply their pubic hair, finger- and toe-nails, their pants, etc., which were left on the shrine until the money was repaid. One of the victims who escaped said that she was sick and spent several months in hospital after she returned to Nigeria. She was almost going crazy as she was always throwing off her clothes. She had to be taken to one of the Pentecostal Churches by her parents for “deliverance” from the oath.

Threats to relations of victims: Threats to relations of victims is another way through which victims could be controlled. About 93.3% of Law Enforcement respondents stated that traffickers use some form of threat or pressure on victims’ families. Parents of victims sometimes entered into “agreements” prepared by lawyers, often using their properties as collateral that their daughter would pay the agreed amount. They were often harassed and threatened especially if the victim was trying to be difficult on arrival in Italy. It is alleged that corrupt Police officers help to harass relations of victims to ensure compliance.

Restriction on movement and communication: Victims’ movements and freedom of communication with relations/friends are severely restricted along the routes as well as in destination countries. Any communication with relations is done in the presence of the *madam* to ensure that the victim does not say anything adverse about the real situation in which she has found herself. Along the routes, victims are not allowed to move freely in transit camps, they are restricted to their accommodation, except if hired out for prostitution. The restriction is to prevent detection by Law Enforcement agents.

Sexual exploitation: Sexual exploitation was the primary aim of trafficking victims to Italy. These victims who were lured to Italy with promises of conventional jobs find themselves being forced to engage in prostitution. The victims were usually informed of this fact a few days after their arrival, when their *madams* took them shopping to purchase their street outfit for them. The outfit comprised scanty blouses and short skirts, a handbag, and a wig. They were then

told to join their predecessors on the streets. The victims stand by the roadside, and when a car stops, the victim enters the client's car. The client returns the victim to the same spot after their sexual activity. This happens several times the same night. Many girls have experienced violence from clients. The girls are on the street all night, in the rain and the snow. The worst form of exploitation occurs when victims are hired out to make pornographic films or to engage in other sexually pervert activities. Only one of the victims we interviewed admitted that she was forced to engage in pornography. Another victim tried to commit suicide by jumping down from a story building because of her experiences (she had told the survey team that she fell down from a story building while talking to her *madam's* "black boy" and broke her leg, she was not pushed she emphasized). She was engaged in prostitution for about eight months during which she was rotated to several locations. Her counsellor informed us that the victim felt God could never forgive her because of the terrible sins she had committed.

The sexual exploitation of victims starts from Nigeria, especially in Lagos where traffickers keep victims for up to 2 weeks. Some of the victims are raped by traffickers and "groomed" or taught how to service male clients before they commence their journey abroad. Along the routes, especially when victims travel by land, victims are also sexually exploited, some of the victims end up becoming pregnant. Many victims have to engage in prostitution during the journey to survive. The survey team was told the story of a Nigerian victim who delivered twins along the route, after spending nearly a year on the road. She lost her life when their boat capsized as they were trying to cross from Morocco to Spain. The victim's family had gone to report the trafficker to the Police and demanded that he should go and bring back the twins from Morocco after learning of their daughter's death.

Seizure of the earnings of victims: An essential element of coercion is the seizure of the earnings of the victims as soon as they return from the street every day. The *madam* takes all the money earned by the victim and records the amount, this goes towards paying her "debt". Deductions are made for accommodation, food, cosmetics, and any other expenses. The girls, therefore, have very little money to spend on themselves or to send to their family while they are in debt bondage. Some of the victims resort to finding hiding places for some money so that they can send something to their families. The victims are subjected to severe beatings if the *madams* discover this or if they think that they are not bringing enough money daily. Sometimes, the *madams* help victims to arrange to send some money to their relations back in Nigeria, especially if relations have been complaining.

All these forms of oppression and coercion mean that the victims are in debt bondage and are virtually slaves of their traffickers until they have fully paid the amount agreed upon, after which they can become self employed as prostitutes. Sometimes, some *madams* turn over the victims to the Police and get them repatriated when they have nearly finished paying back their debts. Several victims have become *sponsors* or *madams* or "recruiters" after gaining their "independence" from their *madams*. Usually, it is at this stage that the victims make money for themselves and appear to be success cases to prospective victims.

Actual experiences of victims

The actual experiences of victims paint a graphic picture of the exploitation practices of Nigerian traffickers.

1) All the victims claimed that they were not aware of the jobs they were to do abroad, or that the journey would be hazardous. During recruitment, *sponsors* were friendly and offered attractive prospects. Some of girls were promised jobs as domestic helps, as workers in industry/factory. Others were promised jobs in farms or employment as hairdressers and fashion designers. The job prospects were made attractive to the victim's family, only one mother decried her daughter going to Italy.

According to her: *“After secondary school, there was no money for further education I learnt fashion designing, opened a shop and had two apprentices. An aunt, my mother's sister, asked me to come and do fashion designing in Spain. She wanted to open a fashion house in Spain for people that needed truly African design and wear, and that there was money in it. She came back the next day to still ask me. I told my aunt to discuss with my mother. She did and my mother said, «I hope it is not Italy» because she heard things about Italy. My aunt said no, that it was Spain”*.

The young lady ended up in Italy, and was asked to prostitute, her aunt had “sold” her to a *madam* in Italy.

2) *Sponsors* entered into forms of agreement with victims to make sure that they paid back the money expended on their travelling papers as well as their fare to Italy. These agreements were in various forms. Many of the victims were asked to swear in shrines before the ‘traditional priest’ in charge of the shrines. In Benin, the most potent shrine is the *Aru'Osun Oba*, where tough traditional problems are known to be resolved. Also suspected thieves are taken there to swear, and are claimed to confess on the application of the oath. These trafficking victims were taken there, to swear they would abide by the terms of the agreement. Some were subjected to blood oaths, submitted their nail paring and pubic hair, and at times their underwear as part of the oath taken in shrines before the priest of the shrine. One victim was made to swear that if she reneges on the agreement she would run mad. A victim was also taken to the Pentecostal Church to sign an agreement to obey the *madam*. One victim was taken to a lawyer to write an agreement, in addition to the traditional priest, popularly called a native doctor, to swear to an oath. Some victims were taken outside the city to the interiors to swear the oath, a victim was taken to neighboring Ondo State for just that purpose. Many of the shrines were said to be frightful and intimidating. However, victims trafficked by their known relatives were not subjected to oath taking before leaving Nigeria, but swore an oath when they arrived to Italy.

3) Money demanded by *sponsors* was ridiculously high in terms of the economic situation in Nigeria. *Sponsors* frequently signed agreements for victims to pay back as much as USD 45,000.00 and a little more or less depending on the terms of agreement. Some victims paid with the Nigerian Naira upfront, parents of these victims who paid upfront had to sell some form of property, like land or

houses, to meet the cost. Some other victims were able to pay partially, while others were completely indebted to their *sponsors*.

4) On arrival in Italy, many of the girls claimed that the *madams* were kind to them initially and changed their attitudes later. They were taken shopping and new outfits purchased for them. Some victims at that point began to wonder why clothes purchased for them were usually the skimpy type. A victim during this first shopping observed her *madam* purchasing condoms. They usually met with other young girls on arrival. Most victims were confronted on the very first day with the nature of the job they are to perform in Italy. One victim said that while she was still on the train conveying her to the house her *madam* told her the nature of the job, and she refused, according to her: “*I was abandoned at the station when I refused to prostitute*”.

At least 7 victims claimed to have been harassed physically when they refused to go out in the night. They were subsequently reminded of the oaths and money owed by them. A victim was left to rest for 3 days. The victim, a divorcee with 4 children, was told that she would be employed in a “*fabrique*” which she translated as factory. New outfits were purchased for her, on the third day while sleeping at night, *madam* woke her up to dress for work.

“*What type of work am I going to this night?*” she inquired. *Madam* then explained the nature of the job. According to her, she and *madam* fought all night over the issue. And the very next day she ran away.

Another victim, who was recruited by her sister, was confronted on the first night with the nature of the job. When she refused to go on the streets with other girls who were working for her sister, she was reminded of the money spent on her. The sister also reminded her of all the help she had been rendering to them back home, and said that it was through prostitution that she made her money. The sister frequently quarreled with her, and made life miserable for her. She then had to go on the street. However, she refused to solicit customers and when she returned, she could not produce any money for her sister. The other girls working for her sister were getting angry at her attitude and accused her sister of being lenient with her. She was then forced to work on the street and make money.

The *madams* and other girls already doing the work severely beat 4 victims who refused to work when confronted with the nature of their work.

5) Victims were totally at the mercy of their *madams*. Their travelling papers were retrieved from them. They paid weekly for things purchased by their *madams*, like food and clothing and necessities. Most of them surrendered all the money they worked for daily to *madam*, while in some cases, a substantial proportion of their earnings was given to their *madams* on agreement. In some instances, the *madams* had charts on the wall to record how much was paid by each victim and the balance of payment remaining. Some victims were given some money to send home to allay suspicion, and to lure other victims from home.

6) Some victims complained bitterly of having to dress in skimpy clothes during the winter months.

7) They were also attacked by Italian youth, whom they lamented threw all kinds of odious items at them.

8) At least 4 victims wanted to be arrested by the Italian Police. They tried to put themselves along the path of these policemen but were hardly noticed. *Madams* who heard from other girls about these attempts, subjected victims to punishment and warned them not to go near Police officers.

9) Living conditions had to be tolerated. Victims had to share accommodations with other girls and at times with the *madam* in cramped rooms (with 4 or 5 persons to a room, sharing beds).

Apart from the work they were forced to do, most victims liked to live abroad. They felt well fed or could afford to eat well and liked the weather. If they had jobs other than prostitution, they would have wanted to remain in Italy.

Table 4.13 summarizes victims' experiences of threats and violence from their traffickers and employers starting from when they were recruited in Nigeria.

Table 4.13 - Threats/violence suffered by victims

Offender / Place	Threat of violence	Restricted communication	Restricted movement	Confinement	Physical violence	Sexual violence
Traffickers in Nigeria	2	2	1	1	1	0
Traffickers in transit countries	3	4	7	2	1	1
Traffickers in Italy	10	8	8	5	5	0
"Employers" in Italy	3	1	2	0	2	1

Source: Interviews and focus group sessions with victims, Benin City.

4.6 Resettlement of victims: roles of NGOs and government agencies

Reception of victims on arrival in Nigeria

Not much can be said about victims who return voluntarily after serving their debt bondage or making enough money. Victims are repatriated regularly to Nigeria by destination countries as was shown in Tables 4.1 and 4.2. They are received at Lagos Murtala Mohammed Airport by the Immigration Service and transported by bus (donated by the Italian Government) to their Screening Centre at Alagbon Close, Ikoyi. At this centre, immigration staff interviewed the victims, and some demographic and other information are obtained from them. Thereafter, those with crime-related offences (illegal entry) are transferred to the Human Trafficking Unit of the Police, also at Alagbon Close. The unit and sometimes Interpol also

interrogate the victims. The Police Health Centre carries out HIV/AIDS tests on the victims. In the past, the victims were released to their “relations” immediately. Currently, the practice is to transfer the victims to their State Liaison Offices in Lagos for onward transportation to their homes in their State of origin or released to “relations”.

According to the immigration and Police officers, many of these victims, arrive scantily dressed and near naked, as they are repatriated exactly as they were taken off the streets. They are not allowed to take their belongings from Italy. Some of them arrive without a penny on them. Officers often have to give them wrappers or T-shirts to cover up and money to buy food or transport themselves home. This partially explains the angry and wild behaviour of victims while at the Screening Centres at both the Immigration Service and Human Trafficking Unit (Police) which are not conducive. These centres are converted detention rooms for suspected criminals. There are no beds, they have a few mattresses donated by the IOM and UNICEF.

The survey team witnessed a display of the unruly behaviour of victims on their arrival from Italy on the 17th of May, 2003. The victims had to be dispersed with teargas. They thereafter set fire to one of the offices in the Police Headquarters at Alagbon. It was pandemonium all round. The team had to abandon any attempt to interview some of the victims. We were later told that another batch had burnt some offices before this, while another set had threatened to go naked at the airport.

Reception of victims at State Liaison Office

The survey team visited the Edo State Liaison Office at Victoria Island, Lagos. The team was informed that the Immigration Service and the Police (Interpol) from time to time brought victims of Edo State origin to their office to be sent to Benin or released to their relations. However, their office was not in a position to offer much assistance to victims for several reasons:

- Firstly, the victims are brought without any notice, sometimes on Fridays when the office is about to close for the day or week. As a result, there is no time to prepare to receive victims.
- Secondly, they lack the funds to cater for victims. The victims need food, accommodation, and even transport fare to return home. They also need documentation, such as their local Government of origin, passport photographs of ‘relations’ to whom the victims are released, and so on. In spite of the ado about sex trafficking in Edo State, not one *kobo* (centesimal part of one Naira) has ever been added to the budget of the Liaison Office to cope with the problem. A Liaison officer said that he has often had to assist the victims at his own personal expense, or to convey some victims to their homes in Edo State using his personal car, and accommodating some destitute victims at his own expense.
- Finally, the Liaison Office has no accommodation facilities. At any time, several victims are brought to their offices, for example, on different occasions, 38 persons, 74 girls, 29 girls, and 65 girls respectively were dumped on them. *“Where are they to find accommodation for such*

numbers?” he asked. It is easier for the Police and Immigration who have rooms where they can keep the girls, and the security to keep them there. There are no security facilities at the Liaison Office.

According to the Liaison Officer, the end result of their lack of capacity to cater for the needs of the victims is that as soon as the Immigration or Police bring them in through one gate, the victims escape through another gate almost immediately. They can only watch helplessly as they have no security staff to keep them there, or even the space for them to sit down. The result is that the victims disappear into thin air, many of them merely go back to their original recruiters to help them go back to Italy. Estimates are that within 2 to 6 months, nearly half of repatriated persons have found their way back to Italy or Europe. Some resume their prostitution activities almost immediately they are released in Lagos in order to survive. Thus the issue of reintegration by NGOs or Government agencies does not arise for most of them. Those of them who can be tracked are usually victims who escaped from their traffickers or employers and sought refuge with Catholic NGOs in Italy. Such victims are usually met on arrival by the IOM and other Catholic sisters and assisted to reintegrate themselves back into the society. Thus if reintegration of victims is to be successful, greater efforts have to be made to catch them as they arrive in the country.

NGOs and other organisations involved in combating human trafficking in Nigeria

Some NGOs and other organisations have been actively involved in fighting the scourge of human trafficking in society. In Edo State, 8 of such NGOs were identified, as well as IOM and the traditional council which was found to be greatly involved. An NGO that has been at the forefront of the fight against human trafficking in the Country was also included, this is WOTCLEF, a NGO set up by the wife of the Vice President, Mrs. Amina Abubakar, located in Abuja.

Table 4.14 - NGOs and other organisations - organizational information

NGOs and other organizations	Date	Mandate of Organisation	N° of Staff	Full time	Part time	Volunteer	Affiliation	Area of operation	Yrs of operation
Local Council Isekhure		Traditional Chief	2	1	1		Benin Traditional Council	Edo State	
IRRRAG	1992	Promotion of women's sexual/reproductive rights	21			21	Local branch of an international organization		10 years
COSUDOW	1999	Fight trafficking in women and children & others.	8	3	5	All Catholic Revd. Sisters in Nigeria	National Organization	Nigeria	4 years
Halt Violence Against Girls	1995	Empower women, especially girls, youth for better life.	3	3		10		Edo State	5 years
WHARC	1995	Promote reproductive well-being of women through research and documentation						Egor / Edo State	9 years
Benin Traditional Council	1977	To promote Benin Culture	169	168	1		Local Organization	Edo State	26 years
Idia Renaissance	1999	To defend the integrity of women	18	11	7		Local Organization	Benin City / Edo State	3 years
WOTCLEF	2000	Eradicate human trafficking, child labour, education and mobilization of women	13	12	1	5	National Organization	Nigeria	3 years
IOM	1951	Committed to principle that humane and orderly migration benefits migrants and society	18	18			International Organization	All continents of the world	52 years
Global Spiritual Information Network	N.A.	Promotion of Spiritual awareness for Africa's Redemption					Local Organization	Benin City	
GPI	1994	Empowerment of the girl child	20	13	4	3	National Organization	Edo / Delta States	9 years
AWEG	1995	Beijing + 5 platform for actions	35	5	10	15	Regional Organization Affiliated with a National Organization	Benin City	8 years

Source: Interviews with NGOs, other organisations and experts, Benin City.

Victims seen annually by NGOs and other organisations

Data was collected on the number of victims the NGOs and other organisations saw annually. Table 4.15 below shows the number of victims seen, the number of contacts per clients and the length of time victims used the NGO's and other organisations' services.

Table 4.15 - NGOs and other organisations by number of victims assisted and duration of the assistance

NGOs and other organisations	Women	Minors	Contacts per client	Duration of use of services
Local council	50	-	15	More than 1 year
IRRRAG	10	3	-	-
COSUDOW	31	13	-	More than 1 year
Halt Violence Against Girls	-	-	-	Between 1 week & 1 month
Idia Renaissance	over 300	over 30	5	Between 1 & 6 months
WOTCLEF	20	-	5	Between 1 & 6 months
IOM	over 200	-	5	Between 1 & 6 months
GPI	-	5	3	Between 1 week & 1 month
AWEG	20	30	-	Between 1 week & 1 month

Source: Interviews with NGOs, other organisations and experts, Benin City.

Eight NGOs and other organisations indicated that they refer trafficked victims to other organizations; their responses are shown in the table below.

Table 4.16 - NGOs and other organisations by referral organizations and services rendered

NGOs and other organisations	Referral Organizations	Types of services provided
Local Council	Civil Liberty Red Cross Organization	-
IRRRAG	Idia Renaissance	Skill acquisition/shelter
Halt Violence Against Girls	WOCON/Idia Renaissance	Legal aids, skills acquisition
IOM	Govt. Hospitals, Law firms, NGOs	Health care services, legal services, for reintegration/rehabilitation
GPI	Ministry of Human Affairs Idia Renaissance	Convey meeting with families/rehabilitation
AWEG	Catholic Sisters Organization	Rehabilitation

Source: Interviews with NGOs, other organisations and experts, Benin City.

The NGOs and other organisations have different approaches to trafficking prevention as shown in Table 4.17.

Table 4.17 - NGOs and other organisations by approaches to prevention of trafficking

NGOs and other organisations	Trafficking Prevention Methods
Local Council	Tracking recruitment centres, alerting the Police on prospective travellers, public enlightenment for parents.
IRRRAG	Enlightenment campaigns, advocacy.
COSUDOW	Enlightenment and sensitisation programmes, family tracing, counselling, reintegration, rehabilitation and monitoring.
Traditional Council	Advise to parents/guardians to enlighten their children about the ills of trafficking.
Idia Renaissance	Provision of skills, scholarships for under-privileged children, inauguration of clubs in school, catch them young, empowerment of girls to be self-reliant.
WOTCLEF	Sensitisation through schools, awareness creation through TV programmes, distribution of IEC materials, advocacy for legal and legislative reform, promotion of wholesome and worthwhile alternative economic practices.
IOM	IEC campaign on illegal migration and trafficking using the media. Assist voluntary return of victims. Rehabilitation and reintegration to prevent re-trafficking. Raising awareness of trafficking in secondary schools and communities. Advocacy visits to Government and community stakeholders to create awareness.
GPI	Personal skills development education for girls. Comprehensive sexuality education for girls, teachers and media. Trafficking sensitisation education for girls and the public.
AWEG	Advocacy grassroots sensitisation visits, follow up/counselling services, radio/TV jingles, IEC materials.

Source: Interviews with NGOs, other organisations and experts, Benin City.

Reasons why trafficked persons returned to Nigeria

Information was also gathered on reasons why trafficked persons return to Nigeria. In the opinion of these organisations, most victims return because they are forced to return, either by crime groups, but mainly by the Governments of destination countries. Some escape from their traffickers or employers.

The experts' opinions on the category of possible reasons why the trafficked persons would return to Nigeria: 14 (43.8%) felt that the most common reason for their returning home was when forced by Government of destination country, followed voluntary return after making enough money (9.3%), and escape from traffickers (9.3%), and medical reasons (6.2%). The remaining 10 persons (31.3%) did not really know the reasons why the victims came back.

How victims become aware of NGO services

NGO respondents also indicated how victims became aware of their services. One NGO observed that 26-50% of the victims got information through other victims who had been in contact with the NGOs and other organisations. Two other NGOs indicated that 11-25% also got informed by this means. Three NGOs indicated that 26-50% got informed through word of mouth on the streets. One NGO stated that 11-25% of victims were informed through advertising and campaigning on the part of the NGOs and other organisations. One of the NGOs, COSUDOW, indicated that 76-100% of victims became aware of their services

through their contact with the international community. The services provided by these organisations include: financial assistance, legal assistance, and resettlement assistance.

Services needed by victims

Certain services are usually needed by victims to protect them from danger.

Table 4.18 - NGOs and other organisations' views on services needed for protection from danger

Services	Total
Legal advice	3
Safe house	6
New identity	3
Police protection	7
Resettlement	5

Source: Interviews with NGOs, other organisations and experts, Benin City.

The NGOs and other organisations generally indicated that most of these services were either not available or inadequate. Two NGOs were of the view that their area needed all the services. Six of them need safe house, Police protection, resettlement in the area. It was a generally complaint from the NGOs and other organisations that these services were lacking.

Table 4.19 - Experts' views on services needed for protection from danger

Services	Total
Legal advice	6
Safe house	9
New identity	5
Police protection	11
Resettlement in another area	8
Other	1

Source: Interviews with NGOs, other organisations and experts, Benin City.

The experts' views were similar to those of NGOs and other organisations, with Police protection and safe houses being the most frequently cited.

Adequacy of victim protection

On the adequacy of existing victim protection services by Government agencies and NGOs, 4 NGOs said services by Government were extremely poor, 4 said they were poor, and 2 said they were good. For the services of NGOs and other organisations, 6 said they were poor but better than those of Government agencies, 3 claimed they were adequate, and 1 said they were good.

Table 4.20 shows the aspects of victim protection services which the NGOs and other organisations believe need improving and suggested ways to make them more efficient.

Table 4.20 - Service reforms required to improve victim reintegration

NGOs and other organisations	Service Reforms
Local Council	Victims need re-education through vocational training to be financially able to meet basic needs, like food and housing.
IRRRAG	More skills acquisition centre needed.
COSUDOW	From Government side, nothing is in place yet. NGOs are creating awareness on rehabilitation of victims.
Halt Violence Against Girls	Their encounter with immigration and Police should not be aimed at dehumanizing them. Proper training should be organized for Law Enforcement. The press should be called to order in the manner they report on issues.
WOTCLEF	There is no seriousness in providing shelter or safe house. The idea of resettlement is almost absent. Police protection is almost totally non-existent.
IOM	Victims should testify against traffickers. If convicted, it will serve as a deterrent to other would be traffickers.
GPI	The Government and the public are yet to accept the fact that victims are victims and not offenders.

Source: Interviews with NGOs, other organisations and experts, Benin City.

New victim protection approaches and/or ways of improving existing services to help them work more effectively were suggested by some of the NGOs and other organisations.

Table 4.21 - NGOs and other organisations' suggestions to improve service delivery

NGOs and other organisations	Ways to improve service delivery
Local Council	Victims should be made to speak out on their feelings about stigmatization as prostitutes. They desire reassurance on a future they can look forward to.
IRRRAG	Traffickers should be prosecuted and their ill-gotten wealth seized.
COSUDOW	Government should make economic laws that impact positively on people. Education should be compulsory for primary and secondary school level. Victims should be defended, property of traffickers should be confiscated and used to resettle victims.
Halt Violence Against Girls	Counselling units should be set up at every stage starting from the immigration, Police and home state of victims. Rehabilitation centres should be built without stigmatising victims. Victims and parents should undergo counselling.
Traditional Council	Improve socio-economic setting, Government should empower and fortify the NGOs.
WOTCLEF	The basic problem is the absence of infrastructures supporting the idea of victim protection.
GPI	All services listed should be available at low cost and appropriate personnel should be trained and motivated to perform.
AWEG	Victims should be resettled in countries of dispatch.
IOM	Ministry of Education should train school teachers on issues of migration and trafficking in order to incorporate them in subjects curriculum. Creating awareness in communities through Government media. Edo State Government should set up and run a shelter for rehabilitation and follow up of victims.

Source: Interviews with NGOs, other organisations and experts, Benin City.

Cooperation between government agencies and NGOs/other organisations

The information on the level of cooperation between the NGOs/other organisations and Government agencies in dealing with trafficking and/or victims of trafficking gave the following results. Four NGOs had moderate coordination with Government agencies, 7 NGOs had minimal association with them, while 1 had extensive interaction with Government agencies. Table 4.22 below shows the Government agencies with which the NGOs and other organisations liaise regularly.

Table 4.22 - NGOs and other organisations and collaboration with government agencies

NGOs and other organisations	Government agencies
Local Council	Social Welfare, Ministry of Information and Culture.
IRRRAG	The Police Department.
COSUDOW	Edo State Skills Acquisition Centre.
Traditional Council	Police, Skills Acquisition Centre.
Idia Renaissance	Ministry of Women Affairs.
WOTCLEF	The Nigerian Police, Immigration, Ministry of Foreign Affairs.
IOM	Ministry of Health, Edo State; Bureau of Public Information and Orientation, Edo State.
GPI	Ministry of Women Affairs.
AWEG	Federal and State Ministries of Women Affairs, Youth Development, and Ministry of Health.

Source: Interviews with NGOs, other organisations and experts, Benin City.

On functional cooperation arrangements with other agencies, Idia Renaissance stated that it was in contact with the Ministry of Education, where children not in school are referred for admission, as well as the Ministry of Health, where repatriated victims are referred for tests. They follow up in all the former cases and most of the later ones.

The IOM claimed to be in contact with the Ministry of Health for improving capacities for health. It also relates with NGOs and hospitals in the management of people living with HIV/AIDS, with special emphasis on victims of trafficking.

The NGOs and other organisations were asked about the current level of coordination between them and Government department in preventing trafficking. Five NGOs stated that the level of collaboration between them and Government agencies was good, 1 said it was sufficient, 3 said it was poor, while 1 said it was not applicable.

The NGOs and other organisations were asked to suggest ways to improve collaboration between NGOs and government agencies, their responses are shown in Table 4.23.

Table 4.23 - Ways of improving collaboration between NGOs, other organisations and government agencies

NGOs and other organisations	Ways of improving coordination
Local Council	More public enlightenment campaigns. Enforcement of basic learning facilities, laws to protect the rights of children.
IRRRAG	More awareness education on the existence of facilities. Adequate office equipment and gadgets.
Halt Violence Against Girls	There should be an intensive education of masses. Government should have a coordination agency. NGOs should lobby Government to get them committed.
WHARC	Government should be alive to its responsibilities, enact and implement laws to discourage trafficking.
Traditional Council	Government should formulate functioning coordination arrangements.
Idia Renaissance	The establishment of functional units in relevant Government departments to handle traffickers.
WOTCLEF	Establish referral and cross link system for dealing with emerging issues.
IOM	More dynamic participation on the part of Government departments.
AWEG	Government should implement a comprehensive sexuality education at State level and also recognize NGOs as partners.

Source: Interviews with NGOs, other organisations and experts, Benin City.

Suggestions were made on how to improve the current level of coordination between organisations in curbing trafficking or in assisting trafficked persons.

Table 4.24 - Ways to improve collaboration between NGOs and other organisations

NGOs and other organisations	Suggestions
Local Council	Financial support/Training.
IRRRAG	Formation of functional coalition.
COSUDOW	Better networking, improving communication and information sharing, funding so that groups can implement their objectives.
Halt Violence Against Girls	Dialoguing in form of seminars, workshops and conference, to highlight areas of need of the victims, and winning the sympathy of collaborators.
Idia Renaissance	Fund, and implementation of ideas.
WOTCLEF	The development of viable networks, development of interest link and referral system for NGOs. NGO incapacity must be addressed in terms of institutional building, funding and operations.
IOM	More sincerity of purpose.
GPI	Strengthening of the national coalition against trafficking in persons (NACATIP).
AWEG	Networking and collaboration in programming and initiative.

Source: Interviews with NGOs, other organisations and experts, Benin City.

Experts' views about rehabilitation programmes

The experts were asked to give their views on the availability of rehabilitation services of NGOs, other organisations and Government agencies.

Table 4.25 - Availability of services by NGOs, other organisations and government agencies

Availability	NGOs and other organisations		Government agencies	
	Frequency	%	Frequency	%
None	5	15.6	8	25.0
Somewhat	4	12.5	4	12.5
Yes	1	3.1	1	3.1
Don't know any	15	46.9	15	46.9
Not stated	7	21.9	4	12.5
Total	32	100.0	32	100.0

Source: Interviews with NGOs, other organisations and experts, Benin City.

Many of the experts interviewed (46.9%) were not aware of any victim protection services from NGOs and other organisations in their vicinity, 5 persons (15.6%) said there were none available. Only 1 respondent agreed that these services were available.

Experts were also asked their views about the quality or adequacy of services available. Only 2 persons thought that NGO's services were good, while 1 person felt Government agencies provided good services.

Table 4.26 - Adequacy of services of NGOs, other organisations and government agencies

Availability	NGOs and other Organisations		Government agencies	
	Frequency	%	Frequency	%
Extremely Poor	4	12.5	-	-
Poor	5	15.7	9	28.1
Adequate	1	3.1	3	9.4
Good	2	6.2	1	3.1
Excellent	-	-	-	-
Not stated	20	62.5	19	59.4
Total	32	100	32	100

Source: Interviews with NGOs, other organisations and experts, Benin City.

Aspects of services that need improvement

The experts suggested ways to improve support services to victims; these include:

- Provision of employment opportunities
- Provision of economic alternatives for families of victims
- Rehabilitation
- Award scholarships to victims who wish to return to school

- Seize assets of traffickers to rehabilitate victims
- Provide free education for girls
- Set up counselling units at every stage of contact, e.g. at immigration, Police
- Counsel the families of victims
- Government should set up funds to assist victims
- Involve families in the resettlement of victims.

Opinions of victims about rehabilitation programmes

The victims interviewed were asked their views on efforts to reintegrate victims from their own experiences. All the victims complained about not being properly rehabilitated in the society. Only victims who were voluntarily repatriated with the aid of a Catholic organization in Italy found some relief and support from a Catholic NGOs in Benin City. In spite of the assistance, they do not think they have been fully compensated, neither have their lives improved. According to most of them, they are still struggling to make a living, promises of financial support to them before they left Italy were yet to be fulfilled. Four victims still desire to go back to Italy or Spain not minding the consequences.

The current employment status of victims was also ascertained, this is shown in Table 4.27 below.

Table 4.27 - Current employment of victims

Employment	Number
Unemployed	8
Back to school	5
Trainee fashion designer/Hair dresser	2
Trading	7
Fashion designing/tailoring	2
Hairdressing	1
Farming	1
Other (Sales girl/Receptionist)	2
Other - planning to go back	1
Total	29

Source: Interviews and focus group sessions with victims.

Table 4.27 suggests that more efforts are required to rehabilitate victims. Lack of employment encourages returnees to find their way back to Italy.

How to discourage/prevent human beings trafficking

NGOs, other organisations and experts were asked to suggest what should be done in Nigeria to prevent or discourage trafficking in minors and women. Table 4.28 shows their recommended actions to stop human trafficking.

Table 4.28 - Recommended actions to stop human trafficking

NGOs and other organisations	Recommendations for Action
Local Council	Government should be more responsible by providing basic needs in education, social services and in the health sector.
IRRRAG	Government should criminalize the offence and confiscate wealth acquired, provide skills, jobs and free education for the girl child.
COSUDOW	Educate people and put in place a workable legislation, Rehabilitation and job opportunities.
Traditional Council	Mount serious and effective campaigns against the evils of trafficking. Creation of more skill acquisition centres, small-scale industries, middle level technical institutions, provision of soft loan to victims to resettle.
WOTCLEF	There is an urgent need to address root factors and associative factors such as societal attitudes towards gender, population issues, and the need for free, qualitative and compulsory primary education.
GPI	There should be public enlightenment, job creation, free education or scholarship, gender equality in practice. Recognition that they are victims and not criminals. Provision of access to welfare services and sincere rehabilitation. There should be an amendment of law on trafficking in Edo State to decriminalize prostitution.
AWEG	There should be improvement in socio-economic conditions of citizens.

Source: Interviews with NGOs, other organisations and experts, Benin City.

From the foregoing it is apparent that the NGOs and other organisations have a common goal of empowerment for the citizenry. Experts also suggested how to discourage human trafficking; these include:

- Advocacy
- Adequate policing of borders
- Improve economy/job availability
- Information dissemination
- Skill acquisition
- Provision of basic amenities
- Fair wages
- Provide education for females
- Destination countries should stop patronage
- Greater awareness campaign
- Concerted international efforts
- Workable legislation
- Seizure of assets of traffickers
- Provision of free qualitative and compulsory primary/secondary education
- Assist girls to travel legally.

The above suggestions cover the range of attitudes of the community towards the problem of trafficking in Edo State, and how it should be addressed.

4.7 Attitudes of the community (Edo State)

To obtain information on the views of Edo State indigenes about trafficking in women to Italy, a total of 32 experts were interviewed. These were made up of key informants working in related NGOs, traditional leaders, Government officials, medical experts working with AIDS patients and youth counsellors.

Twenty four of them (75%) clearly agreed that they knew about the phenomenon of trafficking and were well informed that it entailed transportation of females abroad, who were coerced into commercial sex trade and exploited, the remaining 4 had heard about it, but were not really sure what it was all about.

Twenty-six (81.2%) of the respondents decried the practice describing it as ungodly, degrading, immoral and debasing to womanhood. One male respondent, a religious leader, felt that it was only bad if the process was illegally done, but if legally done, he did not see anything wrong in one seeking to improve her lot.

A female respondent, a “woman leader”, who claimed her daughter had been involved, was not sure it was a bad development; she felt that many girls had helped their families from the proceeds. She only had reservations about the traffickers whom she claimed were harsh and wicked. When asked if the phenomenon could be stopped, 20 respondents (62.5%) responded in the affirmative, 7 persons (21.8%) felt it could not be stopped because the activities were clandestine, while 1 respondent did not see the necessity for it.

A total of 26 respondents (81.2%) agreed that the practice should be discouraged for the following reasons: it is modern day slavery, human rights abuse, dehumanising, degrading. Others were that it will lead to ill health and that it is disgraceful and evil.

However, 1 person felt it should be encouraged, the Government should in fact assist young ones to secure jobs abroad to work and assist their families. Another respondent felt it was nobody’s business since many foreigners came to Africa “illegally” in the 18th Century, became successful and developed their countries.

From the victims’ perspective, the need to travel abroad was fundamental from the opinion of most of their immediate community members. Members of the community were supposedly reaping the benefits of having a child or some children working abroad. Most of the victims went with the permission/encouragement of their parents and guardians.

Repatriated victims were derided for being fallen victims of repatriation. However, some victims claimed that when they explained the nature of their work, they got the support of their parents and guardians. Others were rebuked and told to find their way back to Europe. Two victims were even encouraged with the prospects of finding someone to marry them if they had stayed longer in Italy.

The Human Trafficking Unit of the Edo State Police command noted in its report that the human trafficking syndrome has eaten deep into the fabric of society as a result of the financial gains accruing to human traffickers and their victims, who send money to parents and relations, buy cars, build mansions, and so on.

Their apparent wealth serves as an incentive to others to join the train. Those at the apex of the trade are said to be rich and influential Nigerians in the society who employ the services of others. Members of the public have generally been uncooperative towards the Human Trafficking Unit and are not willing to provide information.

CHAPTER V

Involvement of criminal rings and response of Law Enforcement agencies

5.1 Involvement of organised groups / crime rings

An organised crime group is defined in this study as “any group comprised of three or more persons driven by the pursuit of profit, suspected of the commission of serious criminal offences, and existing for a prolonged and indefinite period of time”. They can come in many forms, including loosely structured organizations, with little in common other than the criminal undertaking. They can be highly structured hierarchical organizations, based on ethnic affiliations.

Information gathered from the interviews of victims and Law Enforcement agents suggest that trafficking is in the hands of organized groups, 66.6% of Law Enforcement agents interviewed were of the view that trafficking is in the hands of organized groups which were mainly loosely structured. Some groups appear to be well structured, based on ethnic affiliations (Nigerian). One of the syndicates unmasked by the intelligence agencies was a family group. The leader who had an artistic group had several wives and children located in various transit and destination countries in Africa and Europe. The *sponsors* appeared to have contacts or agents along the routes. For any particular activity, only a few members of the group are involved. Thus Law Enforcement officers think that most of the time only 1-2 persons or 3-4 persons are involved in activities such as recruitment of the victim, preparation of documents for victims, as well as in transportation of victims between Nigeria and destination countries.

It is also reported that there are many Nigerian camps in various countries, and these camps (including hotels) are the locations of Nigerian agents used by various groups along the trafficking routes. They are assisted by indigenes in different countries. One Law Enforcement agent said that a map of Africa, with transit camps and names of agents exists which is usually given to agents who accompany victims or to victims (unfortunately, we could not see the map because the map was returned to the person since he was not an accused without making a copy). The existence of such a map suggests that some of the groups are very well organised. While many of the groups specialize in trafficking in young females, the traffickers also helped large numbers of young men to travel illegally in search of greener pastures. Nigerian male youth so assisted had to make all payments in advance. Several of the cases reported to the Police are by young men who were repatriated

and wanted to recover their money from the trafficker. Large numbers of young men are frequently repatriated from Spain.

Involvement of nationals of other countries

The victims themselves were quite naïve on whether there was an organized group involved in their trafficking. However, they knew that the recruiter, *trolley* and *sponsor / madam* were in league together. According to a victim, the *sponsor* who contacted her on phone told her that she sent money to her agent in Ghana to support her until she could be transported to Italy. Some foreign nationals were seen with their *trolleys* or *sponsors*. These were mainly Ghanaians, and a Cameroonian was also reported to be involved. In Mali, Liberians, Congolese and Burkinabe nationals were involved. In Algeria, victims encountered Malians, Ghanaians, Sierra Leonians, and Senegalese. In Morocco, Arabs were seen to be involved in the trafficking process. A victim reported seeing 2 Russians in the league (she went through Russia and the Netherlands). An Interpol officer also informed us that information obtained from victims showed that Italians buy off victims from Nigerian *madams* and compel them to prostitute. She also added that even young men are now trafficked for prostitution to Europe. Thus, nationals of transit and destination countries are involved in the trafficking trade.

Victims were kept in safe houses, including hotels (in Ghana) in some countries for days, weeks and even months waiting for some form of paper or arrangements to be made. From the description and length of time spent in these safe houses there is evidence of organized trafficking of these women. Victims frequently stayed in transit in Spain for days and even months. Many who went by road from Lagos through West African countries had to stay in countries like Ghana or the Benin Republic for up to 3 months.

The victims' experiences suggest that local Law Enforcement agents connived with traffickers to obtain false papers and rendered assistance at the airports to smuggle victims into the country. One victim claimed that her *sponsor* knew a lot of people at the airport, and seems friendly with officials at the airports (in Italy). Another victim said that when she arrived in Italy, she was met by an agent who took her through an unconventional route out of the airport building. With respect to prostitution itself, *madams* had their designated streets on which their victims were permitted to stand and solicit for men, with payment to the mafia in control of that street. Some *madams* were also in association with other known *madams* in the neighbourhood.

Provision of false identities

Most Law Enforcement officers stated that victims were often provided with fake identities. The experiences of the victims confirmed that traffickers provided passports of various nationalities and different names to victims. As a result, according to Law Enforcement agents, homes and families of trafficked persons who either died abroad or were repatriated could not be traced during debriefing because of fake names and addresses. Several victims left the country without any

documents but were provided with fake documents at transit camps. These documents were retrieved from them and used by other victims.

At Interpol, the survey team was informed that all kinds of passports and visas can be obtained at the Oluwole area of Lagos for the right fee. Stolen passports can be bought and photographs superimposed on the data page. Sometimes the passports are genuinely obtained from corrupt immigration officers. Sometimes passports of look-alike persons are used (borrowed). Very often, several persons use the same passport. Victims use fake names and addresses to prevent detection.

Use of professionals by criminal groups

Law Enforcement agents stated that trafficking groups sometimes use the services of professionals. The most frequently used professionals are lawyers (mentioned by 56.7% of respondents) and immigration officers (mentioned by 25.3% of respondents). Banking institutions were also mentioned by respondents. Lawyers help families of victims to prepare documents such as affidavits of age or single status, “contracts of guarantee” (that the agreed sums would be repaid), as well as “friendly loan agreements” (see Appendix 2). The amount to be reimbursed by the victim is described as a loan, to be repaid at an agreed time. Immigration officers are said to issue standard passports to trafficking syndicates. It is alleged that these groups go to the passport offices at night when their passports are issued. There are some passport offices in some states in Nigeria where passports are issued in one day on payment of a fee (unofficial fee). Banking institutions help traffickers to transfer their money between Italy and Nigeria.

The Airport authorities and Interpol officials were of the view that trafficking is a racket involving many Law Enforcement syndicates at the airport and border posts, who assist traffickers and victims to board flights and cross borders. These include immigration officers and various intelligence agencies based at the airports and borders as well as airline officials, who collude with traffickers and enable them to depart the country with fake papers. Similar rings exist at destination airports.

Other criminal activities of traffickers

Some Law Enforcement agents were of the view that some trafficking groups were also engaged in other criminal activities. Such activities included trafficking in drugs and money laundering. About 26.7% of respondents believed that traffickers are often involved in smuggling of drugs; 36.7% believe they are engaged in money laundering; while 26.7% believe they engage in smuggling of goods. They did not believe that they were involved in terrorist activities or that they were involved in arms trade.

None of the victims encountered any occasion where their traffickers were involved in any form of crime or drug trafficking. One victim claimed that the young man who recruited her and travelled with her was said to be involved in a crime not known to her. The Police frequently searched their residence. The young man was always on the run. He was however arrested by the Police eventually and

the victim was repatriated. Another victim claimed that the “*madam’s boy*” was frequently in touch with lots of “big people”. “*They were always looking for him*”.

Involvement in document forgery

Traffickers are almost always involved in forgery of documents, 70% of Law Enforcement agents were of the view that they were often or almost always involved with document forgery. Documents forged included passports, visas and supporting documents such as birth/marriage certificates, identity cards, as well as Italian residence permits. The proportions of respondents who believe that these documents are forged are:

- | | |
|------------------------|-------|
| - Passports | 93.3% |
| - Visas | 70% |
| - Supporting documents | 70% |

The major organizations which provided document fraud services are:

- | | |
|-------------------------|----------------------|
| - Travel agents | 50% (of respondents) |
| - Printers/photocopiers | 50% |
| - Government officials | 40% |
| - Embassies | 20% |

The major ways in which documents were falsified were: forgery of visas (33.3%), alteration of names and substitution of photographs and substitution of data pages of passports (50%). Travel agents who dealt with airlines and embassies were found to collude with traffickers to obtain false travel documents. Airline officials also collude with traffickers at the airport. Areas of Lagos notorious for such activities are Oluwole Area of Lagos where it is said that any travel document can be obtained for the right fee. The Tafawa Balewa Square in Lagos is also said to harbour many travel agents who collude with traffickers.

Costs and proceeds

There is no fixed sum of money that victims pay to smugglers. The usual practice is that victims have a choice to enter into debt bondage of between USD 35,000 and USD 47,000 (in which case, the trafficker is responsible for all her expenses) or deposit some USD 35,000 and USD 40,000. The amount payable in Naira varies from victim to victim and from organisation to organisation. Some organisations handle all expenses which they add to the “debt” to be paid back while others charge between Naira 30,000 and Naira 70,000 to cover rituals, agreements and transportation (for land travellers).

The cost of procuring false or borrowed genuine documents ranges from USD 500 to USD 2,000. Traffickers and *madams* pay as much as USD 8,000 to smugglers for “direct delivery” by air and as much as USD 12,000 for those coming in through the land routes to cover the extra costs.

There is no information on how members of criminal organisations share the earnings from traffickers among themselves in the various countries. There is also no information on how the proceeds are spent. There is, however, a high traffic in the money transfers business from Europe to Nigeria, particularly to Edo State where victims and traffickers alike remit money regularly to family members either for their upkeep or for one project or another.

The Western Union, a well-known money transfer service run by a combination of banks all over the world is the most patronised outfit by traffickers and victims alike in remitting funds back to Nigeria either for their family's welfare or to be invested in businesses or real estate back home. The service makes huge profits every year from such transfers. Traffickers also use illegal individual or company outfits that run courier services to remit funds and other goods back home. There are also indigenous money transfer agents who assist victims to bring money to their relations. The traffickers spent their earnings on the purchase of land, purchase or building of mansions, purchase of exotic cars, and assistance to relations. A few have set up businesses such as shops, boutiques or reinvested it in their trafficking business. The traffickers' apparent success helps to lure young girls to undertake the journey to Italy in the hope that they will succeed as well.

5.2 Roles of Law Enforcement agencies

A major reason why human trafficking has been flourishing worldwide is because of lack of legislation against it in many countries. In Nigeria, although trafficking in humans has been going on for over a decade, it is only recently that attention has been drawn to the problem. Law Enforcement agencies and ministries that have been actively involved with human trafficking in Nigeria in recent times include the following:

- The Nigeria Police
- The Nigeria Immigration Service (NIS)
- Interpol
- The State Security Service (SSS)
- The Ministry of Justice.

Until recently, these agencies worked in isolation or as occasion demanded. The Law Enforcement agents became involved after Interpol officers attended a conference in Italy in 1997. The former Nigerian Ambassador, Her Excellency Mrs. Judith Attah, drew their attention to the large numbers of Nigerian prostitutes on the streets of Italian cities. Some of the officers went round to see for themselves. They reported back to the Inspector General of Police (IG) when they returned home. Thereafter, the IG decided to set up a Task Force on Human Trafficking as a branch of Interpol, it came into full operations in 1999. The Task Force carried out some studies to assess the situation. It found that substantial trafficking in women and children was going on in Nigeria. Young Nigerians were being trafficked in large numbers to work in other African countries such as Gabon and Equatorial Guinea. They categorised Nigerian states into:

- Source states (source of victims)
- Exit states (states from which victims were moved out of the country).

They also identified:

- Origin countries (countries from which victims originate)
- Destination countries (countries to which victims are trafficked)
- Transit countries (countries through which victims are transported).

Based on this analysis, it was decided to set up Annexe Offices in states identified as source and exit states within Nigeria. Accordingly, Annexe Offices have been set up in the following states among others:

- Source States: Edo, Delta, Ebonyi
- Exit States: Borno, Kano, Akwa Ibom, Ogun, Oyo.

The establishment of Annexe Offices was delayed because of logistic problems. The Italian Government later provided assistance that enabled the Annexe Offices to take off. At present, Interpol is no longer a member of the Task Force on Human Trafficking, which is now located within the Police Force in Lagos and all Annexe Offices in identified states. In Lagos, it includes the Police and Immigration Service.

The Lagos office also has a staff strength of 6 persons, but 2 of them are on peace-keeping duties in Kosovo, and were not replaced. The Task Force on Human Trafficking is headed by an Assistant Commissioner of Police.

Roles of the Task Force on Human Trafficking

The responsibilities of the Task Force are as follows:

- Investigation of all cases involving human trafficking
- Interception of victims and other traffickers at various border outposts
- Documentation and screening of repatriated persons in order to:
 - Obtain information on the traffickers
 - Identify trafficking routes
 - Introduce repatriated persons to NGOs such as WOTCLEF and others which can help to reintegrate them, as well as the Office of the Special Assistant to the President on Human Trafficking
 - Assist in evacuation of repatriated persons from other countries. For example, the Unit was part of the Evacuation Committee set up by the Ministry of External Affairs to secure the release of 33 victims from Guinea Conakry. They were also able to bring back 17 traffickers after intervention by the President
 - Liaise with Ministries, Embassies and NGOs on matters relating to human trafficking. For example, in 2002 TAMPEP, an NGO based in Turin, invited them to Italy to discuss matters relating to trafficking in women to Italy
 - The unit is also involved in prosecuting some cases involving traffickers in court.

Edo State Annexe Office

Reference is made to the Edo State Annexe Office (Human Trafficking Unit), because Edo State is the main source of victims to Italy. The Human Trafficking Unit was established on the 18th of February 2002, in the Police Command on the directives of the Inspector General of Police. The Central Working Committee on Human Trafficking in the State comprises: the Police, Immigration, SSS, Ministry of Women's Affairs (which has not been a very active member) and Idia Renaissance. The Human Trafficking Unit was equipped with 1 computer, photocopying machine, fax machine, a generator and a Fiat bus (20 seats), allocated by the parent body in Alagbon Close. The Unit has a staff strength of 8 officers made up of 5 males and 3 females.

Activities of the Edo State Human Trafficking Unit

According to its report, the operational approach of the Unit is to concentrate on information gathering, checking of information, surveillance duties, arrest and investigation of cases, and prosecution of cases. The Unit has made several arrests and investigations as shown in the table below.

Table 5.1 - Arrests and prosecutions by Human Trafficking Unit (Edo State)

Cases	Number
Cases reported	21
Persons arrested	35
Cases charged to court	12
Cases struck out	2
Cases pending in court	7
Persons convicted	3
Cases under investigation	9

Source: Edo State Human Trafficking Unit.

The Unit has successfully investigated several cases of human trafficking and charged traffickers to court. So far, 12 cases have been charged to court within Benin City and Abudu.

Some cases are still pending, prosecution of offenders is delayed by undue court processes. A major problem has been the uncompromising attitudes of complainants and witnesses who turn hostile and become difficult when matters are arraigned before the courts.

Role of the Nigeria Immigration Service (NIS)

Since human trafficking usually involves illegal entries into transit and destination countries, the Immigration Service has a role to play in combating trafficking, especially by preventing access to travel documents and patrolling borders to prevent illegal movements. The NIS has been involved in efforts to combat trafficking in recent times. The statutory functions of the Immigration Service include:

- Control of immigration and emigration of persons in and out of Nigeria
- Control and monitoring of the movement and activities of persons other than Nigerians
- Issuance and control of Nigerian travel documents
- Registration and control of aliens
- Implementation of ECOWAS Protocol and movements of persons.

The Service is one of the members of the anti-trafficking Task Force. The Comptroller General of Immigration, who is presently a woman, has shown great concern about the problem and the service is trying to discourage it. The Service has so far implemented the following:

- Visited educational institutions and Youth Corps camps to preach about the negative effects of human trafficking.
- Used billboards and the media to enlighten the public about the negative effects of trafficking.
- Exercises care in the issuance of passports, for example, it has become a policy not to issue passports to any Edo State female less than twenty years old, without a letter from the Edo State Liaison Office.
- Screens travellers at departure points, and prevent those suspected of travelling for trafficking.

As a result of the anti-trafficking activities of the Immigration Service at recognised legal departure points, traffickers now use illegal routes such as Borno and Katsina States. Traffickers and victims now use all kind of tricks, for example, Edo girls now change their names to get passports, while some pose as family units travelling to Benin (husband, wife and child) to smuggle out victims.

The Service is also responsible for meeting repatriated persons at the airport and screening them before they are handed over to the Task Force on Human Trafficking. The victims are kept in their screening centre briefly for documentation. The Immigration officers said that the screening centre is a converted detention room with no facilities, except mattresses donated by the IOM. The officers responsible for meeting the repatriated persons observed that:

- Many of the victims arrive near-naked or scantily clothed in their street dresses, and they often have to assist them with wrappers or t-shirts donated by IOM.
- The victims are not allowed to bring their belongings, this contributes to their frustration.
- The victims (especially those from Italy) are often very wild and uncontrollable. As a result of this, they are not allowed to pass through the arrival halls. A bus, donated by the Italian Government, meets them at the tarmac. Often they fight with the driver and security guards. A battle line is drawn between victims and Law Enforcement agents. On one occasion, they destroyed the windscreen of the bus. The survey team had an eye-witness experience of such behaviour in their attempt to interview some victims from Italy. They have even threatened to go naked at the Airport. They feel upset because they think it is the Nigerian Government that has asked the Italian Government to repatriate them.

- Victims are sometimes repatriated on Friday nights, this is not a good day as Saturday and Sunday are not working days. Keeping victims over the weekend involves extra expenses for the anti-trafficking unit - especially to feed them on a non-existent budget. This also causes problems for the Edo State Liaison Office.
- There is no funding (or grossly inadequate) from Government to meet expenses for documentation and to support victims while they are in the screening centre. Officers often have to use their personal funds to buy food for victims, buy toiletries, give them wrappers, and even transport fares to get to their homes.
- The screening centre at both the Immigration office as well as the Zonal Police headquarters at Alagbon Close lack any facilities whatsoever. This is a stark contrast to the more comfortable detention centres in Italy where victims are kept and given good food to eat. Some of the officers had been invited to Italy to attend a workshop and had seen the centres in Italy (as well as the prostitutes on the streets). There is a need to upgrade facilities at the screening centres.
- At the Human Trafficking Unit of the Immigration Service in Abuja, the team was informed that the use of the ECOWAS passport/Travel Certificate and the free movement between ECOWAS countries made it difficult to apprehend traffickers and their victims as they do not need visas to move between these countries. Thus it was easy for traffickers to move their victims to other ECOWAS countries from where fake visas and passports were procured for them to travel to Italy or other European countries. It was also mentioned that thousands of victims (male and female) were still stranded in transit countries such as Libya, Mali and Guinea Bissau, waiting to travel to Europe.
- In Benin City, the Human Trafficking Unit staff complained that although most of the victims repatriated were from Edo State, their Unit was rarely involved once traffickers and victims were apprehended beyond witnessing it on the television or reading about it in the newspapers. As the source state, they should be more involved.

The role of Interpol

The Task Force on Human Trafficking was initially based within Interpol at its inception. However, Interpol is no longer part of the Task Force. It is still involved however through the Travel Documents Unit, since trafficking usually involves falsification of documents across international borders which is a criminal offence. The Interpol had tried to create a data-base of victims, through documentation, there are several tapes of the experiences of victims as well as photographs of victims accumulated while they were actively involved. The Unit has received several tip-offs about movements of victims by traffickers, but bureaucratic red-tapism and inadequate funding are major constraints in arresting traffickers.

The State Security Service (SSS)

As a member of the Anti-Trafficking Central Working Committee in Edo State, the State Security Service in Edo State has been called upon from time to time to assist in surveillance activities. The 2 cases involving traffickers presently at the High Court were made possible because of the involvement of the SSS which carried out detailed investigations (see next section). So far, the SSS in Edo State has been engaged in the following anti-trafficking activities:

- Unmasked a crime group that is now facing prosecution
- Handed over 17 suspects to the Police in 1999 for prosecution
- Arrested a trafficker in March 2000 following directives to do so
- Arrested 5 individual traffickers in May 2000 and handed them over to the Police.

The SSS is well positioned to help track down traffickers through their underground surveillance activities. However, they complain that because they cannot prosecute traffickers, they hand them over to the Police, the cases tend to fizzle out because of poor investigation or connivance with traffickers.

The judiciary

Ministries of Justice are involved in anti-trafficking activities. As outlined in a report from the Federal Ministry of Justice, their functions in this respect include:

- Receiving files from the Nigerian Police, Immigration and other Law Enforcement agencies, ministries and extra-ministerial departments, and proffering legal opinions on the criminal aspects.
- Where a trafficking matter is incidental for public prosecution, the department handles the proffering of charges and arraignment for prosecution.
- Make suggestions for review of laws relating to trafficking to meet with global trends.

From the above, it is clear that the judiciary cannot prosecute cases until reports of investigations are forwarded to the Director of Public Prosecution's office. This implies that successful prosecution of traffickers rests very much on thorough and honest investigations by the Police department. In Edo State, very few cases of trafficking have been brought before the courts for prosecution. In fact, when the survey team members first asked some magistrates about prosecutions of trafficking cases in their courts, they said none had been brought to their courts. The team only found out accidentally that cases were being brought to the Magistrates Courts when they went to administer a questionnaire at the Okoh Prisons where they were given case numbers of offenders remanded in custody at the prison. Members of the Judiciary need to be better informed about human trafficking.

Cooperation between Law Enforcement agencies in Nigeria

Until recently, many of these agencies worked in isolation. However, as part of the activities for the implementation of the UNICRI *Programme of Action against Trafficking in Minors and Young Women into Italy for the Purpose of Sexual Exploitation*, the Nigerian Expert Group (Task Force) was set up. The organisations which make up the Task Force are those whose statutory functions are incidental to the problem of trafficking in persons. These organisations are:

- Federal Ministry of Justice
- Federal Ministry of Women Affairs and Youth Development
- Office of the Special Assistant to the President on Human Trafficking and Child Labour
- Nigeria Immigration Services (Abuja)
- Nigeria Immigration Services (Edo State)
- Nigeria Police Force (Abuja)
- The Judiciary (Edo State)
- Nigeria Police Force (Edo State)
- National Agency for the Prohibition of Traffic in Persons (NAPTIP).

The activities of these agencies have been discussed at meetings of the Task Force with the Italian Working Group on the Plan of Action, and so, they will not be repeated here.

5.3 Institutional response to human trafficking: recorded investigations and prosecutions

Background information

Nigeria had no special criminal legislation prohibiting trafficking in humans *per se* until July 2003¹². There existed however, certain provisions in the general criminal and penal codes, which could be used to deal with cases of trafficking in humans beings; even though these provisions were grossly inadequate, as offenders tended to exploit the loopholes created in the said provisions to escape prosecution or punishment. Therefore, prosecutors have had to resort to prosecuting offenders under other crime-specific sections of the codes, which said crimes are identifiable in the trafficking chain. For example, about 56 cases relating to human trafficking were charged to the Magistrates' Court of Edo State (Benin Judicial Division) between January 2000 and April 2003. The majority of these cases were charged under Sections 516, 419 and 390 of the Criminal Code; that is conspiracy (where more than one offender was involved), obtaining anything capable of being stolen by false pretence and with intent to defraud and stealing respectively. A few cases were charged under section 362 (abduction of a girl below 16), section 223A

¹² For the text of the Law, see www.unicri.it/nigeria_website.htm.

(procuration), section 225 (trading in prostitution or aiding and abetting trading in prostitution) and section 222A (causing or encouraging the seduction or prostitution of a female person). One person was charged with being in unlawful possession of human pubic hairs; finger nails and pants with menstrual stains belonging to another under section 430(1) of the Criminal Code (that is, being in possession of anything reasonably suspected to have been stolen or unlawfully obtained without giving a proper account to the satisfaction of the court as to how such a thing was obtained).

In summary therefore, most of the complaints which come before the courts are that *sponsors* or in local speech, "*sponsorers*", procurers or their agents have collected some money (initial deposits) from potential victims or their families to traffic ("help") them travel abroad and have either totally failed to deliver on their promises or have unsuccessfully attempted to "send" them abroad. When such complaints are made to the Police and the offenders are arrested, they are usually charged under section 419 of the Criminal Code. The emphasis shifts from trafficking of persons to obtaining money under false pretences and with intent to defraud. So, to the potential/actual victims of trafficking or their families for that matter, the whole idea of coming to the Police and the courts in the first place is to help recover the money deposited. The few cases in which offenders were indirectly charged for trafficking (i.e. sponsorship) came after the amendment of the Criminal Code by the Edo State legislature, which inserted a new section 223A after the existing section 223 to create the offence of:

- a) Aiding and abetting (or sponsoring) a girl or woman abroad for prostitution; and
- b) Administering any oath by means of fetish rituals on a girl or woman to facilitate her travel abroad for prostitution.

Below are briefs of some of the cases randomly selected from the cases disposed of or which are currently pending before the Edo State Magistrates' Court and the High Court (Benin Judicial Divisions) and some of the cases still under investigation by the Human Trafficking Unit of the Edo State Command of the Nigeria Police Force.

Court proceedings

Cases at the Magistrates' Courts

As stated above, these sections deal with conspiracy, obtaining by false pretences and stealing respectively. It is not uncommon to find offenders charged under these sections in one charge sheet depending on whether or not there is more than one offender. Usually, the charge of stealing automatically follows that of obtaining the items or money complained of. If the charge of obtaining (S.419) fails, that of stealing (S.390) will also automatically fail. Therefore, the key charge is under S.419, which provides thus:

"Any person who by any false pretence, and with intent to defraud, obtains from any person anything capable of being stolen, or induces any other person to deliver to any person anything capable of being stolen, is guilty

of a felony and is liable to imprisonment for three years. If the 'thing' is of the value of one thousand Naira or upwards, he is liable to imprisonment for seven years.

It is immaterial that the 'thing' is obtained or its delivery is induced through the medium of a contract induced by the false pretence. The offender cannot be arrested without warrant unless found committing the offence".

This provision is grossly inadequate to deal with cases of trafficking even at the point of obtaining initial deposits from victims, potential victims or their families. This is because it is very difficult to prove "intent to defraud" and "false pretence" even in cases of regular business transactions. It is even more difficult in cases of trafficking because the promised business is usually in the future. Unless and until it is proved beyond reasonable doubt that the accused offender knowingly collected the money for something he or she knew he/she was incapable of doing, no conviction can be secured. So most traffickers or their agents who have been prosecuted or are currently being prosecuted would usually plead that they had not been given sufficient time to deliver on their promises before being prosecuted, or that they had started work but encountered unforeseen difficulties that frustrated their efforts. In other words, given more time, they would be able to deliver. In the absence of proof of a contrary intention, the accused offender walks away, a free man or woman.

Find below a table, which gives the necessary information on some of the cases prosecuted under this head and the outcome of such cases as at the time of this report.

Table 5.2 - Summary of cases in Court

Case	Offenders	Age(s) & sex of offenders	Offence(s) charged with	Date of alleged offence(s)	Year charged	Alleged facts	Current status of cases	Sanctions if any
1	1	male aged 26 yrs.	Obtaining by false pretences under S.419 of the C.C	Aug/Sept. 1998	Jan 2000	Allegedly obtained Naira 347, 900 from three persons to procure travelling documents for them	Case struck out for want of diligent prosecution	-
2	3	1 female aged 21 yrs. & 2 males aged 30 yrs and 36 yrs.	Conspiracy (S.516) Obtaining by false pretences (S.419) & stealing (S. 390)	Oct 1999	Mar 2000	Allegedly obtained Naira 250, 000 from one person to procure for him travelling documents to Spain	Charges withdrawn for unexplained reasons & case consequently struck out	-
3	2	1 male aged 23 yrs. & 1 female	Conspiracy (S.516) Obtaining by false pretences (S.419) & stealing (S. 390)	Jan 2000	Feb 2003	Allegedly obtained USD 2,200 from one person to procure for him travelling documents to Austria	Complainant withdrew his complaint and the case was struck out for want of prosecution	-
4	2	1 male aged 36 yrs. & 1 female aged 40 yrs.	Conspiracy (S.516) Obtaining by false pretences (S.419) & stealing (S. 390)	Nov 1999	Apr 2003	Allegedly obtained Naira 130, 000 from one person to procure travelling documents for him	Case is still pending in court	Yet to be determined
5	1	female aged 42 yrs.	Obtaining by false pretences (S.419) & stealing (S. 390)	Nov 2002	Apr 2003	Allegedly obtained Naira 285, 000 from one person to "take" her son abroad	Case is still pending in court	Yet to be determined
6	3	2 males & 1 female (ages not stated)	Conspiracy (S.516) Obtaining by false pretences (S.419) & stealing (S. 390)	Nov 1996	Mar 2000	Allegedly obtained USD 6,400 from one person to "sponsor" a younger sister to Italy	Case dismissed in September 2001 for want of diligent prosecution because the Police could not produce witnesses in court	-
7	2	2 males aged 31 yrs. & 32 yrs.	Conspiracy (S.516) Obtaining by false pretences (S.419) & stealing (S. 390)	Jun 2001	Aug 2001	Allegedly obtained Naira 150, 000 from one person to procure a British visa for him but produced a Sierra Leone Visa	Parties effected an out of court settlement and the case was struck out in Nov. 2001 after Complainant withdrew	-
8	1	male aged 35 yrs.	Obtaining by false pretences (S.419) & stealing (S. 390)	Sep 2001	May 2002	Allegedly obtained Naira 831, 000 from one person to procure British travelling documents for her & her two children	Case still pending in court and the case of the defence is such that the accused might secure an acquittal	Yet to be determined
9	1	male aged 23 yrs.	Conspiracy (S.516) Obtaining by false pretences (S.419) & stealing (S. 390)	Apr 2002	Mar 2002	Allegedly obtained Naira 70, 000 from one person to procure travelling documents to travel to Morocco	The court found that both the accused and the complainant were victims of absconded previous frauds and acquitted the accused person	-

10	1	male aged 38 yrs.	Conspiracy (S.516) Forgery [S.467 (3) c] obtaining by false pretences (S.419) stealing (S. 390) & unlawful possession (S.430)	May/June 2001	Aug 2001	Allegedly obtained Naira 72, 000 from three persons to procure travelling documents and forged three Nigerian passports containing forged German visas having been in unlawful possession of the documents	The case is currently on appeal, the defence being dissatisfied with trial court's ruling that the accused has a case to answer. The defence had argued that the accused had done what he offered to do and there was no expert opinion that the documents were fake	Yet to be determined
11	1	male aged 25 yrs.	Conspiracy (S.516) & procuring [S.223 (4)]	April 2001	May 2001	Alleged to have procured 8 young women to become prostitutes in Spain	Accused remanded in prison custody awaiting outcome of INTERPOL investigation	Yet to be determined
12	1	male aged 38 yrs.	Trafficking under the new S. 223A	June 2002	July 2002	Allegedly trafficked 2 female minors to Mali en route Italy	Case struck out for want of diligent prosecution	-
13	1	female (age not stated)	Conspiracy (S.516), aiding and abetting trading in prostitution [S.225 (4)]	November 2001	Nov. 2002	Alleged to be trading in prostitution & aiding and abetting trading in prostitution	Case struck out in January 2003 for want of diligent prosecution	-
14	3	2 males aged 49 yrs. & 50 yrs and 1 female aged 40 yrs.	Charged jointly for conspiracy (S.516) & luring/trafficking a female person while one was in addition, charged with being in illegal possession of human pubic hair, fingernails & pant stained with menstrual flow	January 2000	January 2003	Alleged to have trafficked one female to Italy for prostitution	Case struck out in March 2003 for want of diligent prosecution	-
15	2	2 males aged 35 & 36 yrs.	Conspiracy (S.516), abduction (S.362) & trafficking (S.223A)	February 2002	March 2003	Alleged to have unlawfully abducted a female minor from the lawful custody of her parents and given her material assistance to travel to Algeria en route Spain	Case is still pending in court	Yet to be determined

Source: Case File Analysis in Court.

High Court cases

There are only 2 cases of trafficking (inadvertently fused into one) currently pending at one of the High Courts in Edo State (Benin Judicial Division). The survey team's personal interviews with the Chief Judge, the Director of Public Prosecution (DPP) and the Prosecuting State Counsel in charge, reveal that cases of trafficking hardly ever get to the level of the High Court. Traffickers and victims or their families more frequently use the traditional court system (that is before woodoo Priests in Shrines or before local Chiefs) and would at best get to the Magistrates' Court; even then, not as cases of trafficking *per se*, but those of other crimes associated with trafficking. The three distinguished Judicial Officers were of the opinion that the two cases currently in the High Court got that far because they were initially investigated and referred to the Police by men of the SSS and NIS who made the arrests.

Case one

The suspect in this case is a musician/cultural promoter with more than 10 wives scattered across the globe particularly in West and North Africa, Western Europe and America. He has several children based also in different countries of the world. Based on a tip-off, he was placed under surveillance by the SSS for several months and was eventually arrested in a hotel room in Lagos while preparing to travel with some of the victims he had procured. Upon arrest, he was searched and several passports (27) of different countries, airline tickets and other travelling documents were recovered from him. Suspect made four different statements to the SSS upon interrogation, in 1 of which he confessed. The SSS proceeded to arrest and search the premises of those implicated in his statements in Nigeria. The case was later referred to the Police in Benin City, and the Police made a very poor investigation of the very valuable information supplied by the SSS. The case was then referred to the DPP who charged the matter to the High Court. As at the time of this report the trial is still going on and is yet to be concluded. Examination of the case file revealed that the suspect ran a big family network of traffickers across the globe.

(a) The syndicate/criminal organisation

The syndicate or organisation involved a large group of persons operating in a structured family set up headed by the suspect. The organisation relied heavily on the assistance and co-operation of other members or allies spread across Nigeria, Morocco, Mali, USA, Italy other West and North African countries and other European countries like France and Spain. They used the services of *trolleys* (smugglers who help to cross illegal immigrants across borders) in cases where genuine visas were not available for direct flights. The mode of transportation for a victim depended on the terms of agreement reached, the initial deposit made if any, and whether or not cash payment or cash balance was available at the destination countries upon delivery.

The organization procured their victims, particularly young girls, through personal contacts, friends, acquaintances and local agents mainly from Benin City

and its environs. In some cases, the victims or their relations approached the organization to “assist” or “sponsor” them abroad. The victims were usually promised very good jobs in their destination countries in places like factories, domestic service, farms, beauty parlours, dressmaking factories and other establishments.

While making travel arrangements, the suspect or other members of the organization procured either genuine visas or passports or used fake ones. Usually, genuine visas belonging to legal travellers were used after super-imposing the passport photograph of the relevant victim on them. The documents were supplied mainly through an African embassy (using corrupt officials) through touts and travel agencies. Sometimes the visas were procured from collaborators by the group through financial inducements of USD 500 and above or procured directly from relevant missions under the guise of musical troupe travelling overseas to perform.

Upon securing travelling documents, victims went either directly by air from Lagos to Europe or by road through other Western or Northern African countries like Senegal, Mali, and Morocco on to Spain, France and Italy by rail, or air. Travel agents who were part of the syndicate usually organized air travel. While in transit, resident family members and/or other members of the group accommodate victims at safe houses in various countries along the route. The victims were rotated between safe houses, brothels and hostels in various countries on the routes. The group usually required victims to acquire costumes and pose as members of a musical or cultural troupe.

In all these operations, victims were often accompanied by any of the wives of the suspect and they ensured that they delivered the victims and collected money in return. Part of the money so collected was ploughed back into the business while the rest was either invested in real property or for the upkeep of the family in *diaspora*.

(b) Case data

The gang had been under surveillance by the SSS for months. The SSS infiltrated the gang and reported back to base with the information collected in the field. Just when the suspect was to send another batch through Lagos Airport, the SSS struck and arrested him and one of his wives.

Only the Police and SSS in Nigeria investigated the case. The use of undercover agents produced the most relevant evidence. Charges were brought against the suspect. His financial holdings were not investigated and neither were any of his assets confiscated. The case is still pending in court as at the time of this report.

Case two

The case involving one primary suspect working in conjunction with members of a syndicate is another case of trafficking and which case file was inadvertently lumped together with that of the suspect in case one. He was erroneously charged alongside the suspect in case one even though he was arrested separately and at a

different time. The guidelines provided in Survey Instrument N1 were used in extracting the following information from the case files.

(a) The victims

The Ogun State Command of the NIS arrested the primary suspect in year 2000 while trying to traffic 4 girls, aged between 19 and 21 years, across the Nigeria/Benin Republic border and for not possessing valid travel documents.

Victim A

She is Etsako (Edo North) by tribe and was aged 21 years when she embarked on the journey. She had primary school education and proceeded to learn the trade of fashion designing. She was recruited by a brother of another victim already based in Abidjan in Cote d'Ivoire and was promised a good life in Abidjan. She agreed to travel despite her mother's objections. She paid an initial deposit of Naira 1,000 out of the Naira 3,000 she was billed to procure travelling documents. She travelled in the company of the trafficker and other victims by road from Auchi in Edo State to the border where they were arrested.

Victim B

She is an Ishan (Edo Central) by tribe and was 20 years old when she was trafficked. She is illiterate and had no occupation. She was contacted and recruited by her aunt's husband who was an agent to the primary suspect. He was able to convince her by playing back an audio cassette recorded message allegedly from her sister already resident in Abidjan, inviting her to come and taste of the good life abroad. She was promised a job at a hairdressing saloon. She paid Naira 3,000 to the trafficker to procure travelling documents and travelled by road from Benin to the border where she was arrested along with others

Victim C

She is Ishan by tribe and was aged 19 years when she was arrested. She had secondary school education and was then a trainee fashion designer. An agent to the primary suspect who played back audio cassette-recorded messages from girls already resident in Abidjan concerning available good jobs recruited her. There is no evidence that she paid any money to either the agent or the trafficker. She travelled by road from Benin City to the border where she was arrested with others. She had been made to believe that she could profitably practice her trade in Abidjan.

Victim D

She is Bini by tribe and was aged 19 years when she was recruited in 1999. She was a primary school drop out and was an apprentice hairdresser. She was recruited in the same manner as victim C, plus the fact that she was aware that the trafficker specialized in sending people abroad. In her own case, she approached the trafficker for assistance. She entered into debt bondage to pay Naira 70,000 to the trafficker in Abidjan. She also paid cash of Naira 400 out of a total Naira 2,500 to the witch doctor who administered oath to her. She travelled by road from Benin to the border where she was arrested.

(b) The offenders

Upon arrest by the NIS, the primary suspect and the victims were handed over to the SSS (Edo State) for investigation. The following facts emerged during investigation. He is a Nigerian male. There is no information on his educational or professional background. He was a trafficker who specialized in using recorded audio messages supposedly from girls already living abroad (particularly in Abidjan) to lure victims. The said girls in the cassettes were allegedly engaged in profitable jobs and businesses like hairdressing and dressmaking.

The primary suspect used several agents in Edo North, Central and South to recruit girls from towns and villages in Edo State. He had accomplices (receivers) in Abidjan in Cote d'Ivoire who purchased the girls and used them as sex slaves. He had been involved in trafficking for about eighteen months before he was arrested. He used the services of woodoo Priests to administer oaths of secrecy and loyalty to the girls before trafficking them. He was in personal and telephone contact with his accomplices.

(c) The criminal organisation

The primary suspect worked for an organisation with a loose network. His accomplices were mostly Binis (Nigeria) and Ivoriens (Cote d'Ivoire). The primary suspect was the principal recruiter who used the services of agents or relatives of potential victims. He used friends, relations and acquaintances from Ishan, Benin City, Auchi and Agbor in Delta State (border town with Edo State). He did not need international passports and visas since he operated within the ECOWAS region.

He took his victims by road, kept them in safe houses under prison conditions. He and his agents lured the girls with prospects of good jobs in hairdressing saloon and tailoring shops through the medium of recorded audio messages supposedly from their friends or relations already resident in Abidjan, inviting them to also come and benefit from "job opportunities" in Abidjan. Having successfully won their interest, the girls were taken before witch doctors that prepared concoctions, which were administered to the victims who also took oaths of secrecy and allegiance. Having done this, the group didn't need to employ violence. The victims were trafficked in groups of 2, 3, or 5 at a time, and the business had been going on for a few years before the primary suspect was brought into the ring.

(d) Contact with licit/illicit environment

The organisation for which the primary suspect worked used witchdoctors (native doctors) and had contacts with corrupt Immigration and Security Service officials at border posts. Items and documents recovered from the primary suspect pointed to the fact that the criminal ring had contacts in Europe, particularly Italy. The primary suspect had no details to supply. He just had telephone numbers and addresses to which he could direct enquiries in Italy but claimed he did not know those at the ends of the numbers and addresses. No further investigations were done to find those at the end of the numbers and addresses in Italy and Spain.

The group also worked with freelance *trolleys* (smugglers across borders) as well as other organisations with whom they traded with the victims.

(e) Case data

The investigation of this case started after the NIS arrested the primary suspect in the company of four victims near the Nigeria/Republic of Benin border while attempting to use an illegal smuggling route. No valid travel documents were found on them and they were consequently handed over to the SSS for interrogation. The Edo State Command of the SSS investigated the case since both suspects and victims all hailed and were recruited from Edo State. They all made statements to the SSS.

However, the investigation was centered primarily in some towns of Edo State. No investigation was carried out either in Lagos or Abidjan. Having concluded the preliminary investigation in Edo State, the SSS made its findings and forwarded its report and the suspects to the Edo State Command of the Nigerian Police who took further statements from primary suspect and victims. The Police carried out very poor investigations and the case was eventually charged to court by the office of the DPP upon receipt of the case file from the Criminal Investigation Division (CID) of the Police Force. The method of investigation that produced most of the evidence was oral interrogation of the prime suspect.

The case is currently pending in one of the High Courts in Edo State and is yet to be concluded. Until the case is concluded, no penalty (if any) can be imposed.

Cases under investigation

The following information was extracted from Police files based on the guidelines provided in Survey Instrument N1.

The victims

The victims are all females aged between 17 years and 27 years at the time they departed Nigeria. They all had secondary school level of education. Three were unemployed and 6 were working as hairdressers or dressmakers (fashion designers in local parlance). Six of them are Binis and 3 whose ethnic tribes are not stated are all from Edo State. They are still in Italy till date. See table 5.3 for detailed information on the victims.

The offenders

The offenders in the cases of the girls listed in Table 5.3 are primary and secondary suspects operating within different criminal organisations. They are men and women whose ages range between 36 years and 70 years and who engage both in licit and illicit businesses. The information supplied in the Table 5.4 was extracted from the case files. Note that the offenders are listed numerically to tie them to the victims they trafficked (i.e. same numbers in Table 5.3).

Table 5.3 - Demographic background of victims from Police case files

S/N	Current Age	Age at Departure	State/ Place of origin	Level of Education	Profession	Yrs. in Italy	Circumstances of leaving	Mode of contact	Agent, place/ mode of recruitment	Deposit or debt bondage	Internal external influences	Mode of transport	Dangers en route	Prior knowledge of dangers	Job Promised	Job forced to do
1	20	17	Edo/Benin	G.C.E	Hair dressing	3	Forced by Parents	Contact made by <i>sponsor</i> (trafficker)	Recruitment through family member	Debt bondage	Coercion by parents	By Land	Thirst, hunger fatigue, armed robber	Unaware	Hair-dressing	Prostitution
2	19	17	Edo/Benin	G.C.E	Dress-making	2	Forced by Parents	Contact made by <i>sponsor</i> (trafficker)	Recruitment through family member	Debt bondage	-	Land & water	Thirst, hunger fatigue, armed robber	Unaware	Dress-making	Prostitution
3	20	18	Edo/Benin	S.S.C.E	-	2	Left willingly	Victim Contacted trafficker's agent	Recruitment by agent	Debt bondage	-	Land & water	Thirst, hunger fatigue, armed robber	Unaware	Factory	Prostitution
4	22	18	Edo/Benin	G.C.E	Hair-dressing	4	Forced	Contact by <i>sponsor</i>	Recruitment by family member	Debt bondage	Coercion by parents	Land & water	Thirst, hunger fatigue, armed robber	Unaware	Hair-dressing	Prostitution
5	21	18	Edo/Benin	G.C.E	-	3	Forced	Family	Family	Debt bondage	Coercion by parents	Not stated	Not stated	Not stated	Any job	Not stated
6	22	17	Edo/Benin	G.C.E	Hair-dressing	5	Forced	Family	Family	Debt bondage	Coercion by parents	Not stated	Not stated	Not stated	Any job	Not stated
7	28	27	Edo/Benin	S.S.C.E	Computer programming	9 mnths	Left willingly	Contact made by <i>sponsor's</i> agent	Recruitment by agent	Advance deposit	-	Not stated	Not stated	Not stated	Any job	Prostitution
8	19	17	Edo	G.C.E	-	1	Forced	Family	Recruitment by <i>sponsor</i>	Debt bondage	Coercion by parents	Not stated	Not stated	Not stated	Any job	Prostitution
9	25	22	Edo	G.C.E	Hair-dressing	3	Forced	Family	Recruitment by <i>sponsor</i>	Debt bondage	Coercion by parents	Not stated	Subjected to dangers	Unaware	Hair-dressing	Prostitution
10	23	19	Edo	G.C.E	Dressmaking	3	Forced	Family	Recruitment by <i>sponsor</i>	Debt bondage	Coercion by parents	Not stated	Subjected to dangers	Unaware	Se-wing	Prostitution

Key: G.C.E = General Certificate in Education; S.S.C.E = Senior School Certificate Examination

Table 5.4 - Demographic background of offenders from Police case files

S/ N	Age	Sex	Ethnic back ground/ Nationality	Level of education	Profession	Use of violence/ deception & at what stage	Criminal records	Criminal status	Primary work/area of operation	Other illegal activities	Years of trafficking	Mode of contact with other traffickers
1	53	F	Edo / Nigerian	Secondary school	Trading	Use of deception at initial stage & violence at destination country	Violent criminal	Secondary i.e. traffickers agent	International trade in shoes & bags from London & Italy	Trafficking & S. 419	5	Personal & telephone contacts
2	50	M	Edo / Nigerian	University	Civil Servant	Initial deception	Habitual criminal	Primary offender	Civil servant in Edo State	Trafficking & S. 419	7	Personal & telephone contacts
3	40	F	Edo / Nigerian	Secondary school	Trading	Initial deception & threats of violence	-	Secondary offender	Trading in Benin City	Trafficking, S. 419 & prostitution	7	Personal & telephone contacts
4	45	M	Edo / Nigerian	Secondary school	Trading	Initial deception & threats of violence	Habitual criminal	Primary offender	Business primarily in Benin City	Trafficking & S. 419	9	Personal & telephone contacts
5	60	F	Edo / Nigerian	Secondary school	Trading	Initial deception & threats of violence	-	Primary offender	Business primarily in Benin City	Trafficking & S. 419	7	Personal & telephone contacts
6	60	M	Edo / Nigerian	Secondary school	Trading	Initial deception & threats of violence	Habitual criminal	Primary offender	Business primarily in Benin City	Trafficking & S. 419	9	Personal & telephone contacts
7	36	M	Edo / Nigerian	University	Pastoring in church	Prayers and false predictions	-	Secondary offender	Runs a church in Benin City	S. 419	5	Not stated
8	70	M	Edo / Nigerian	Primary school	Native doctor	Administers oaths on victims	-	Secondary offender	Herbal medicine / divination in Benin City	Initiation of victims into cults and oath administration	7	Face to face contact with <i>sponsors</i> & agents
9	50	F	Edo / Nigerian	Secondary school	Trading	Not stated	-	Secondary offender	Trades in Benin City	Aiding and abetting traffickers	9	Personal & telephone contacts
10	53	M	Edo / Nigerian	Not stated	Business	Not stated	-	Secondary offender	Trades in clothes in Benin City	Recruiting agent	3	Personal & telephone contacts

The criminal organizations

The extracts from the case files currently under investigation reveal that virtually all the offenders arrested and interrogated by the Police worked in close contact with other persons either within the same criminal organization or individual members of other similar organizations engaged in the trafficking of persons. Within these criminal organizations, there are specialized groups dealing, for example, with just travel documents only or just the oath taking and administration of woodoo rituals on potential victims. Some specialise in physical violence (area boys or “*agberos*” in local parlance as well as corrupt Police officers). This last class belongs to the group of thugs, traffickers employ to either threaten or physically abuse victims or members of their families in Nigeria when the victims are not co-operating enough. Professional lawyers are patronized by traffickers or their agents to draw up “friendly loan agreements” (see Appendix 2) which secure the victims’ consent to debt bondage. The loan is said to be “friendly” because in Edo State only licensed moneylenders are legally entitled to lend money with interest. Therefore, ordinary citizens can only lend out money on an interest - free basis. The traffickers take advantage of this and commit the victims and their guarantors in writing to having borrowed money on a gentleman’s agreement from the traffickers (*sponsors*).

In summary, the size and composition of the different criminal organizations depend on the financial strength of the group and how well connected they are with officials. Some of them operate a loose network using mostly family members to make contacts and to recruit victims. Some others are well structured; right from recruiting and travel agents to the Law Enforcement agencies to professionals to financiers and the exploiters.

The extracts from the 10 case files with the Police reveal that 90% of the suspects are Nigerians and 96% of that figure are Binis from Edo State, scattered across Nigeria, West and North Africa and Europe (particularly Italy, Russia, Germany and Spain). There are also nationals of Benin Republic, Niger, Cote D’Ivoire, Ghana, Moroccans and Libyans in the criminal groups but they represent less than 10% of the members of the groups. Most times, these foreign nationals work as temporary guides or *trolleys* on a cash and carry basis until the next consignment comes in. Some of them provide shelters and safe houses along the routes to harbour mostly victims travelling by land.

The geographic presence of these criminal groups run across international borders on the vertical and horizontal lines, that is, West to North Africa and into Europe. The recruiting agents, the native doctors (woodoo priests), the lawyers, who draw up the debt bondage agreements, the estate agents who help to invest trafficking proceeds in real estate, the bouncers (i.e. the thugs) and the travel documents touts and agents are 96% based in Nigeria. The traffickers are scattered along the routes from Nigeria through Cotonou, Togo, Abidjan, Ghana, Senegal Mali, Niger, Morocco, Algeria, Lybia, Spain, France, and Russia.

Virtually all the criminal organizations operate along similar lines. About 89% of the victims are sourced from Edo State with 90% of that figure coming from

Benin City and its environs. The other victims come from Edo North and central districts as well as from Delta, Ondo and Lagos States, which are neighbors to Edo State.

Thereafter, the victims are made to either sign a “friendly loan agreement” of anything between 80 and 95 million Italian Lire (equivalent to Euro 41,300 and 49,070) or undergo woodoo rituals. Some of the victims are sometimes initiated into cults to which their potential *madams* belong. This is done to ensure that the victims or members of their families do not jeopardize the businesses of the *madams* because members of the same secret cults take oaths to protect one another like blood brothers. The criminals ensure that victims produce either one or both parents or other reliable member of their families to be their guarantors either at the shrine or to sign legal papers, so that when victims become uncooperative, the traffickers turn the thugs loose on such guarantors to harass and intimidate them until they in turn, can persuade their wards to “behave” themselves. The Chief Superintendent of Police in charge of the Human Trafficking Unit of the Edo State Command of the Nigeria Police verbally told the survey team of a case reported to her unit where a trafficker (*madam*) and her thugs kept on harassing a victim and her family even after she had been repatriated back to Nigeria through no fault of hers, to complete the payment of her debt. It took very serious warnings of arrests and prosecution from the Police to deter further harassment of the victim.

The next stage in the operation is usually the procurement of relevant documents. At this stage, members of the group rely on corrupt Immigration officials either at the passport offices or border posts and airports to either use their offices, official connections or authority to obtain genuine passports and visas from foreign missions or where the documents are fake, to help the victims to cross borders or board flights undetected. The criminals also use “*Oluwole*” passports and visas. *Oluwole* is a street in Lagos where virtually any kind of documents can be falsified or “doctored” to look like the genuine thing. It is here that the passport photographs of intending illegal travellers are superimposed into the bio-data page of stolen or borrowed passports containing visas of genuine valid travellers. Using this method, traffickers airlift as many victims as possible within the life span of a valid visa into Europe. Once a victim successfully lands in the destination country, the passport and other relevant documents are posted back to the agent in Nigeria who sends it back to *Oluwole* in preparation for the next victim. It takes an average of USD 1,200 to borrow a genuine passport and visa from its original dubious owner and between USD 1,500 and USD 2,000 to buy a stolen one. The alternative genuine “look-alike” passport and visa cost between USD 500 and USD 1,000 to borrow, while it costs USD 200 to bribe Immigration or security personnel to help victim cross undetected while using the “look-alike” documents. These methods described above are used when trafficking victims “direct” from Lagos or Ghana to France, Switzerland or Italy.

The alternative mode of travel is by a combination of road and sea or road and air or road, air and sea, which can take anything between two months and two years from take-off in Nigeria and arrival at the destination country. The victims are escorted by one or more members of the trafficking group by land through Lagos, Cotonou or Abidjan or Ghana to Mali or Niger and to Morocco, Algeria or Libya. Sometimes, some of the victims are flown out from any of these African countries

if the traffickers are able to falsify documents to facilitate movement into any of the European countries. If not, the victims cross by sea from Morocco into Spain and travel either by train or air to France or Italy. The crossing from Algeria or Libya is usually by air to Europe or to Morocco and from there by sea.

All along the land routes, victims are kept either in brothels or houses of other members of the groups or other contacts based in countries in the different routes. Their movements are restricted in near - prison conditions under the threats of abandonment or arrest by the Police of the hosting countries. Sometimes, some of these victims are made to prostitute along the routes to earn money for their upkeep. Any resistance from such victims is met with threats of abandonment, arrest, repatriation or physical violence. The male escorts or their business partners and acquaintances often rape a number of them. The criminal groups usually “pay homage” to other criminal groups in countries along the land routes before they can safely move their victims through such territories. The Tuaregs of the desert North are usually very reluctant about moving persons through their territories without paying “passage fees”. The fees charged by mafia-like groups along the routes vary from country to country and from group to group. It cost anything from USD 20 to USD 300 to cross a victim from one country to another depending on how powerful or influential the local mafia is.

Traffickers also pay local or resident *trolleys* to help victims cross at border points for a fee, which ranges from USD 100 to USD 500 per victim. These *trolleys* usually organize genuine or fake documents where necessary to enable victims cross borders legally or take them illegally through smuggling routes. The documents used include passports, visas, ECOWAS certificate and residence permits for which the traffickers pay different sums of money.

There is no record whatsoever about other illegal activities that the traffickers and/or their victims engage in apart from prostitution, gambling and petty stealing. They however engage in bribing Government officials in high and low places in the different countries to obtain one favour or another.

Extracts from the case files made available to the survey team reveal that different organizations specialize in different aspects of the trafficking business. There are organizations that deal with every component part in the trafficking chain while there are some others which deal with a section or two in the chain. For example, there are organizations that deal with only procurement of travel documents. Some others (e.g. *sponsors*) just source or recruit the victims and sell to agents to traffickers. Some specialize as *trolleys* while some others render their services as thugs, bouncers, area boys or killers depending on the client’s desire and wishes. Some organizations traffic young females only, while some traffic both males and females. The primary market is prostitution in Italy and Spain while some “sponsored” males are left to work in plantations in some African countries or farms in Europe. Some of the males are made to work as male prostitutes.

Some trafficking organizations or other criminal groups within the trafficking chain have been involved in the business for over ten years. Some members have broken away from their original groups to form their own organizations and render either general or specialized services. Some are still new to the business and it is these new groups that often have their members running into one trouble or the

other with the law. They are yet to ‘cut their teeth’ in the business and learn how to shield themselves from the authorities.

Depending on the size of members in a trafficking organization, the finances available, their influence and connections in official circles and the size of their network, a criminal organization can traffic a group of between 5 and 20 victims at the same time. Some traffic 1 or 2 victims.

Case data

In all the cases that came under Police investigation, the complainants either made verbal reports to the HTU of the Nigerian Police Force or wrote petitions complaining of different criminal acts against the offenders. Some of the crimes reported against the offenders include threats to life, limb and property of either the victims or members of their families; complaints of obtaining money by false pretences against offenders who could not deliver on their promises in good time; complaints of physical abuse and constant harassment; subjection of victims to oath taking and rituals and coercion of victims into prostitution. In all the cases that came under investigation, only very few got to the courts because in the majority of cases, the parties settled their differences and the complainants withdrew their complaints thereby rendering the Police powerless and unable to prosecute the offenders in the absence of valid complaints before them. Even in some cases where the Police charged the matters to court, the complainants either went to court to say they were no longer interested in prosecuting the matters or did not show up in court at all to testify against the offenders. Either way, the courts had no option but to dismiss such charges and discharge the accused persons.

All the cases reported in Edo State were investigated within the State. The Police went out only in very rare cases outside the State but within Nigeria to carry out further investigations. It was only in one case that Police sent officers to Niger Republic to conduct investigations. Usually, when such cases are reported, the Police carries out arrests of the offenders involved or of the members of their families who are detained until the real offenders report themselves to the Police to effect a release of their detained family members. Statements are obtained from both the complainants and the offenders and all necessary witnesses to the transactions or crimes. Where necessary, the Police obtain search warrants and execute searches in the homes or offices of the said offenders to recover incriminating pieces of evidence (exhibits) and visit the scenes of crime. The parties are subsequently interviewed by a senior Police officer to try to ascertain whether there exists a genuine case that is worth prosecuting. Thereafter, cases are charged to court for prosecution or “killed” at that stage if the Police finds either that there is no substance to the complaints or that the parties have effected a settlement amongst themselves.

The investigation methods, which produce most of the evidence, are interrogation and recording of statements, surveillance and use of undercover agents. Charges were brought only in an estimated 30% of all reported cases, and the two cases in which the offenders were arrested at exit points. The remaining cases were not charged either because there was insufficient evidence to press

charges or the complainants were unwilling to press charges or the offenders had jumped Police bail and absconded from jurisdiction. There is no information whatsoever about any investigation into the financial aspects of human trafficking and there is certainly never been any confiscation of criminal assets.

Investigations end up in either of 2 ways. The charges are either dropped for reasons already stated above or the cases are prosecuted in court. At the time of compiling this report, there has been no recorded case in which a conviction has been secured against any offender. And where there is no conviction, there cannot be penalty.

General evaluation of case files

A general assessment of the randomly selected 17 case files taken from the court and the 10 files from the Police reveals that the agencies charged with investigating crimes do not quite appreciate the seriousness of the phenomenon of human trafficking. It is very clear that the Police in particular and other Law Enforcement agencies, including the Ministry of Justice and the Judiciary in general do not know much about human trafficking and what it entails. It is obvious that the Police know little or nothing about the organized crime of human trafficking in Nigeria. The little the Police know about the existence of organized crime in the area of human trafficking is as a result of statements taken from victims or their families (as complainants) or from arrested offenders. The Police now know that there are *sponsors*; recruiters; advance fee fraudsters (S.419) who are cashing in on the phenomenon of trafficking to dupe innocent Nigerians of their hard-earned money on the pretext of helping them travel abroad; *madams* based in Italy; passport and visa racketeering; smuggling of humans across international borders; “woodooism”; slave dealing and sexual exploitation. They have also discovered, in the course of interrogating suspects the *modus operandi* and the routes used by traffickers and their agents. They also know that there are criminal organizations involved in human trafficking and the members of the groups include very powerful people in the social, political and traditional institutions within Nigeria and Edo State in particular.

The offenders found it very easy to perform their illegal activities primarily because of the gullibility of the victims or their parents who are so economically impoverished that any prospect of improving their financial situations is most welcome. They also found ready allies in corrupt Government functionaries, and professional smugglers along unmanned border routes and exit points. Oath taking before witch doctors in Africa is a very powerful weapon in securing the loyalty and obedience of whoever has been subjected to it. This has been largely responsible for the inability of the victims to report traffickers to Law Enforcement agents as soon as they realized that they were being exploited or subjected to violence. By far the most overwhelming facilitator of illegal smuggling in human beings has been the lack of adequate legislation and attendant sanctions under which offenders could be tried and severely punished. Traffickers have for long been exploiting and are still exploiting the loopholes created in the Criminal and Penal Codes to escape punishment/sanctions.

In addition, the Law Enforcement agencies appear not to be bothered about what human traffickers are up to particularly where victims consented to travel with them and even collude with traffickers to beat the available security checks. There is little or no surveillance to monitor the activities of traffickers and the Police is not too comfortable in wading into the hostile environment created by a society whose citizenry is desperately desirous of “going abroad to work” and bring back the much needed dollars. Even when cases are reported, investigations are done in a poor manner in the locality concerned. The Police do not have the required funds and equipment to pursue some leads and carry out further investigations outside the shores of Nigeria or even other States within Nigeria.

New trends

Interview with the Chief Magistrate in Edo State reveals that traffickers are now using new strategies in their illegal activities. Two Chief Magistrates (The Chief Magistrate in charge of the Customary Court as well as the Chief Magistrate in charge of legal adoption in the Magistrates’ Court) told members of the survey team that traffickers now employ the legal option of obtaining adoption orders over teenage children even with the consent of their biological parents to facilitate the procurement of valid visas for the said minors to travel with their adoptive parent (s) already resident in Europe.

Investigative strategies

The criminal investigations in the cases under review resulted either in prosecution or nothing at all. The investigative strategies of interrogation and searches have not been effective in detecting and preventing the criminal activities of traffickers.

However, collaboration with Italian partners have made it possible for Police to stop threats and violent acts being perpetuated against Nigerian families of victims still in protective custody in Italy. Due to information given by Italian agencies, the Police in Nigeria have been able to locate the families of victims and protect them against constant harassment from agents of traffickers.

5.4 International collaboration between Law Enforcement agencies

International collaboration between Law Enforcement agencies on human trafficking is still at a rudimentary stage. Most Law Enforcement agents are not aware of any collaboration between their agency and those of other countries. It is only at national levels, that is, at the headquarters, that collaboration takes place. The most recent effort is the ongoing collaboration between the Italian and Nigerian Governments. However, it is still a new effort. Agencies involved in

collaborative efforts were: Immigration, Police, SSS, and Customs. Collaborating countries have included: Italy, Spain, Morocco, Algeria, the Netherlands, and Libya.

Interpol collaborates with partner agencies in other countries for the arrest and extradition of criminals. We were informed that the Spanish Government had submitted a list of traffickers complete with their addresses to Interpol, Nigeria, for investigation, but nothing has been done so far. The SSS collaborates with the National Intelligence Agencies of Senegal, Mali, Cote d'Ivoire and Italy.

There is some effort to collaborate at the West African level to combat human trafficking. A meeting of West African States was held to draw up a Plan of Action for this purpose.

Among the weaknesses of such international collaboration efforts as identified by Law Enforcement agents (Police, Immigration, SSS, and Interpol) were: lack of tools and equipment to work with; too much lip service paid to such efforts; poor communication; distance; poor legislation and lack of follow-up actions as well as the problem of logistics.

The factors hindering cooperation between agencies in Nigeria and those in other countries are: finance; lack of equipment; inconclusive agreements for cooperation; lack of information, and lack of will to collaborate. Until July 2003, Nigeria had no enabling legislation to combat human trafficking. There is need for the new law *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003* to be vigorously enforced by the Nigerian Government.

5.5 Constraints on Law Enforcement agencies

Law Enforcement agencies face various constraints in trying to combat human trafficking out of Nigeria. They will be discussed under the following sub-headings:

- Enabling environment for combating human trafficking
- Prosecution of traffickers
- Rehabilitation of victims
- Domestic and international cooperation between Law Enforcement agencies.

Enabling environment for combating human trafficking

Law Enforcement agents are constrained by the absence of an enabling environment for combating human trafficking in Nigeria. This is reflected in:

- ***Lack of an adequate legislation against human trafficking:*** Until July 2003 there was no adequate legislation against human trafficking in Nigeria. There were many loopholes in the existing Criminal and Penal Codes under which offenders were tried. The punishments in these codes are not stringent enough, even if convicted, offenders were given the options of fine, which

they easily paid and continued with their business. Traffickers were often released on bail, during which they abscond.

- ***Inadequate funding of anti-trafficking activities:*** Very little budgetary provisions are made for anti-trafficking. The services have to use part of their already inadequate budgets to fund anti-trafficking. There is undue reliance on financial support from Governments of destination countries, especially Italy.
- ***Lack of equipment and facilities:*** Anti-trafficking units are sandwiched into tiny cubicles for use as offices with barely enough space for a table and a chair (at the Immigration and Police offices at Alagbon Close, as well as in Edo State), the few facilities they have such as bus, computer, and printer, were donated by the Italian Government.
- ***Poor documentation and lack of a database:*** Lack of information on trafficking is a major constraint. There is a need to create a database on human trafficking that should be accessible to all agencies. It has been extremely difficult to access existing data because of poor documentation. For example, the Law Enforcement agencies in Edo State, the main source of women trafficked to Europe, have no data on the numbers of women leaving the state or repatriated from destination countries.

Prosecution of traffickers

In spite of the fact that there is a boom in trafficking of minors (male and female) and young women out of Nigeria, it has been difficult to prosecute traffickers for several reasons:

- ***Identification and arrest of traffickers:*** It has been difficult to prosecute traffickers because victims, especially female victims, and their families have not been willing to identify and testify against their traffickers. There are a number of cases in the courts which had to be adjourned several times or eventually struck out because victims did not show up. An explanation for this is the oath the victims are made to swear before they are trafficked as well as threats of violence to victims and their families. There is a need to guarantee victim protection if they agree to give evidence. Corrupt Police officers have been known to divulge sources of information (including letters and tapes) to criminals who had taken retaliatory actions against informants, sometimes leading to death or maiming.
- ***Lack of diligent prosecution by the Police:*** Cases cannot be tried until the Police have made a concrete case for prosecution. A number of cases in our sample were struck off because prosecuting Police did not show up in court. It is alleged that Police collude with traffickers to “convince” complainants to settle out of court. Poor investigation by the Police (allegedly done deliberately after the Police has been “settled” by traffickers who have plenty of money to spend), has made it difficult to obtain convictions for some cases which reached the courts.
- ***An agency to combat human trafficking:*** Many Law Enforcement officers were of the view that Government should create an agency to combat human trafficking similar to the National Drug Law Enforcement Agency if any

notable success is to be achieved, especially in tracking down and prosecuting traffickers. Such a body should be empowered by law to track down and prosecute offenders. This agency (National Agency for Prohibition of Traffic in Persons - NAP TIP), has now been created by the *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*. An Executive Secretary has been appointed for the Agency.

- ***Bureaucratic bottlenecks:*** Bureaucratic bottlenecks often delay arrest of traffickers because of the need to obtain permission from senior officers before arrests are made. Delays lead to escape by traffickers. As a result of this, informants have become reluctant to inform the Police about the movement of traffickers.

Rehabilitation of victims

Rehabilitation of victims is very important if more victims are to return voluntarily from destination countries. At present, after documentation in poorly furnished screening centres, the victims are released to the State Liaison Office, from where they vanish into thin air. Within a few months, they are back to Italy with the assistance of their traffickers. The question the prostitutes ask when one talks to them on the streets of Italian cities (according to a Reverend Sister who runs an NGO) is “*What alternative does the Government have for us?*” The issues here are:

- ***Provisions for victims immediately after they arrive in Nigeria:*** There is need for availability of a well equipped and furnished Reception Centre.
- ***Provisions for rehabilitation:*** Law Enforcement agents have suggested the need for a Rehabilitation Centre where victims can be assisted to learn a trade, receive counselling and be empowered at the end (through provision of credit) to establish businesses for themselves.

Domestic and international cooperation between Law Enforcement agencies

Anti-trafficking activities were until very recently, characterized by lack of collaboration both at the domestic and international levels.

- ***Domestic cooperation:*** Law Enforcement agents had tended to act in isolation and to hide information from each other. However, human trafficking is a multi-dimensional crime, it has domestic and foreign dimensions, it also involves migration. Already, some agencies feel marginalized in the new collaborative effort between the Italian and Nigerian Governments. There is a tendency towards competition rather than cooperation in the activities of the different agencies. It is important to harness all the talents in the different relevant agencies to achieve success. There appears to be a lot of politics in deciding who should be involved. For example, the survey team observed that Interpol is no longer a member of the Task Force on Human Trafficking. Given that human trafficking is an international crime, this appears strange. Similarly, in the present effort to combat crime, the Zone One office of the Immigration Service, which has ten

commands and is the reception committee for repatriated persons, most of whom come in through Lagos, is not represented. Desk staff who are actively involved with trafficking in one form or the other, should be part of efforts to find solutions.

- ***International cooperation:*** Since trafficking involves movement between international borders, the need for international collaboration cannot be over-emphasized. There is very little collaboration between Nigerian Law Enforcement agencies and those of transit countries. There is need for an Action Plan on Anti-Trafficking at both the West African and African levels if the problem is to be adequately tackled and solutions found. Similarly, there is need for collaboration with agencies in destination countries.

CHAPTER VI

Summary, recommendations and conclusion

6.1. Summary of findings

Trends in trafficking:

- 1) The scanty data available suggest that trafficking in women and minors to Italy has been increasing over time, from when the flow started in the late 1980s. However, no hard data on the numbers of women trafficked is available. Statistics on the numbers of victims repatriated from Italy, the Netherlands, Spain and even African countries, suggest that most of the women trafficked out of Nigeria for prostitution are from Edo State. Some of these victims are minors, that is, they are below age 18 years.
- 2) Within Edo State, the victims are mainly (over 90%) from a few Local Government Areas inhabited by Binis, namely Oredo, Ovia, Orhiomwon and Uhumwode. A few come from Esan and Etsako Local Government Areas.
- 3) Reasons why Edo women are involved in trafficking include: the low valuation of women reflected in limited access to education, employment and income earning opportunities. Other reasons are poverty, greed, peer group influence (to be like the Jones's or like others), polygamy, large family sizes, poor moral upbringing of children, and ignorance of the types and conditions of work in Italy. A few success stories, usually of victims who have become *madams*, have proved sufficient to lure young girls and their relations (parents, brothers, sisters, and even husbands) to be involved in trafficking. The devaluation of the Naira whereby a few units of foreign currency convert into thousands of Naira also encourages the youth to desire to leave the country to do any type of job.

The victims:

- 1) Most of the victims are from low-income backgrounds, most of their parents are engaged in low-income occupations. Some victims have agreed to be trafficked in order to assist their poor families.
- 2) Most of the victims have some primary or secondary education. Some of them were trained as hairdressers or dressmakers, but found the incomes meagre compared to what they are told they can earn abroad.
- 3) The victims said they are yet to be properly resettled. Funds promised them are yet to be released. Some of them are still unemployed and need capital to

set up small businesses. A few said they might have been better of remaining in Italy given the lack of alternatives back home in Nigeria.

Recruitment practices:

- 1) Victims are recruited mainly by personal or family friends and acquaintances. None of the victims interviewed was abducted, they travelled mainly of their own free will because of promises of good jobs.
- 2) Recruitment usually begins in familiar territory to the victim, such as the home or workplace, majority of parents were in support and often encouraged victims to travel.
- 3) Recruitment was done by agents of the *madams* in Italy or through *sponsors* who made all travel arrangements and sold the victims to *madams* in Italy. Sometimes the *madams* travel down to Benin City to recruit victims themselves.
- 4) All victims obtained their travel papers with ease, most of the papers were false. They ranged from Beninoise, Ghanaian, Togolese and Senegalese as well as Nigerian passports. Some victims who travelled by land had no travel documents until they arrived at a transit country. Passports are used over and over again with photographs of victims superimposed (duplicated/transplanted passport).
- 5) Once recruited, agents called *trolleys* usually accompany victims where they do not fly directly to Italy by air.

Trafficking routes:

- 1) Victims were trafficked by air, land and sea, the particular route used depended on various considerations such as ease, safety, cost, and how much victims have paid.
- 2) The main exit points were Lagos for those travelling by air, and Katsina or Borno for those travelling overland through the Sahara Desert. Victims also travelled from Lagos to other West African countries to end up in Morocco from where they crossed by sea to Spain en route to Italy in small boats. Victims also flew to Italy or France from Accra or Cote d'Ivoire after obtaining travel papers.
- 3) Journeys lasted one day (if by air) or several weeks or months for those travelling through the Sahara Desert.
- 4) Main transit countries were:
 - ECOWAS countries, such as Benin Republic, Togo, Cote d'Ivoire, Mali, Burkina Faso, Senegal, Chad and Niger Republic
 - Maghreb countries such as Algeria, Libya and Morocco
 - Other African countries, including Ethiopia and South Africa
 - Schengen visa countries, especially Spain, France, Germany and the Netherlands
 - Other European countries, such as UK and Russia.
- 5) Victims stayed at various safe houses along the routes for periods as long as 2 or 3 months to secure travel documents or wait for an opportune time to continue the journey.

Exploitation practices:

- 1) Exploitation of victims starts before they leave Nigeria, where they are sexually exploited by traffickers in the guise of grooming them to service men on arrival in Italy.
- 2) Victims are hired out to brothels for sexual exploitation in transit camps, some victims end up pregnant by the time they arrive in Italy.
- 3) Victims are at the mercy of their *madams* in Italy, their travel documents (fake in most cases) are seized, so that they are totally enslaved to their employers. They are compelled to prostitute. All the money they earn is taken by their *madam*, from which she deducts their “debt” as well as money for accommodation, food, toiletries, etc.
- 4) Victims are restricted from communication with anybody along the route to Italy as well as on arrival in Italy. In Italy, they are monitored by “*madam’s* black boy” or “contract husband” using mobile phones, as well as by previous victims who arrived earlier.
- 5) Victims are forced to swear oaths before shrines to pay back their debts, ranging from USD 40,000-USD 55,000, as well as not to divulge the names of their traffickers or *madams*.
- 6) Some victims are physically beaten up by the *madam* and previous victims if they refuse to prostitute or if they commit other offences such as trying to communicate with the Police or if they hide some of their earnings.
- 7) Victims are forced to prostitute at night, in the streets in “beats” paid for by *madams*, dressed in skimpy clothes in rain and snow.

Reintegration programmes:

- 1) Rehabilitation programmes are virtually non-existent or at best very weak. The Government has only paid lip service to the problem and has not matched words with actions.
- 2) Lack of Government commitment to rehabilitation of victims starts right from the reception of victims at the airport - the bus used to convey victims was donated by the Italian Government. No budgetary provision is made for funds to cater for victims’ needs while they are in the makeshift Screening Centres of both the Immigration and Police at Alagbon Close. The Screening Centres are converted Detention centres, with no beds or other facilities - the mattresses were donated by the IOM.
- 3) Once documentation has taken place, no efforts are made to rehabilitate the victims beyond attempts to link some of them up with some NGOs and some other organisations, notably WOTCLEF and IOM. Most of them are conveyed to the Edo State Liaison Office in Victoria Island.
- 4) Discussions at the Edo State Liaison Office also show lack of seriousness by the Edo State Government to rehabilitate victims. No funds have been released to meet the needs of the victims. As a result, victims vanish without trace as soon as they are deposited at the premises of the Liaison Office, most of them find their way back to Italy within a few months.
- 5) There are no Rehabilitation Centres set up by Government to rehabilitate victims. The Skills Acquisition Centre set up by the Edo State Government in Benin City serves more as a preventive programme (which is good) than as a

rehabilitative programme. A visit by the Survey Team to the Centre revealed that there were no victims at the centre. This single centre is not conveniently located because of distance for victims or potential victims who live on the outskirts of the city or in other Local Government Areas.

- 6) Most of the few NGOs that have shown interest in victims lack the funds and capacity to make any appreciable impact.
- 7) There is limited interaction between NGOs and Government agencies on ways to prevent trafficking as well as to rehabilitate victims. Existing NGOs obtain their funding from donor agencies. Government has not made serious efforts to reach out to NGOs on trafficking.
- 8) Given inadequate resources, the outreach of the few NGOs is very limited, and only few victims have been reached.

Conditions of victims on repatriation to Nigeria:

- 1) Victims are made to embark on a 5-6 hour flight dressed in their skimpy street dresses exactly as they were arrested on the streets. Very often, officials in Lagos have to give them wrappers and t-shirts to cover up their near nakedness.
- 2) Victims are not allowed to pick up any of their belongings before boarding the flight. They arrive in Nigeria penniless, and with only the skimpy clothes they were wearing. They lose everything they may have acquired during their stay in Italy.
- 3) Many of them return sick, mentally deranged from drug addiction, and others with HIV infection.
- 4) Repatriating them on Friday night often means that victims have to spend the weekend in the Screening centre, with no beds and only mattresses on the floor; no money to buy food or to telephone their families or to travel home when released.
- 5) As a result, out of frustration, victims tend to behave in an unruly manner right from the airport. They have broken the windscreen of the bus conveying them from the airport, fought with their escorts, and slapped policemen (we were there). While we were at the Screening Centre, a batch of repatriated persons from Italy had to be dispersed with teargas, they immediately set fire to one of the Police offices. The girls were unruly because they refused to be kept in detention over the weekend (the survey team was there on Saturday morning).

If the purpose of this project is to protect the human rights of victims, these rights should be protected in the manner of repatriation. As it is, the victims are treated more as offenders (being in Italy without papers) rather than as victims of traffickers (who have seized their travel documents).

Criminal justice and Law Enforcement

- 1) Traffickers were prosecuted under the provision of the Criminal Code. At the Federal level, individual component parts of the crime of trafficking are dealt with under various provisions in the Constitution, Criminal and Penal Codes as well as the amended sections of the Criminal Code enacted by the Edo

State Legislature. These provisions are however grossly inadequate to deal with cases of trafficking.

- 2) Majority of the cases that got to court were not charged as human trafficking offences but as cases of advance fee fraud popularly called 419 cases because the offence is created under S.419 of the Criminal Code. The offenders were prosecuted or are being prosecuted for obtaining various sums of money from intending travellers (and some potential victims) supposedly to procure travelling documents to facilitate travelling to different countries in North Africa and Europe.
- 3) The Judges and Magistrates interviewed could not supply hard data, as virtually all of them knew what they know of trafficking from the pages of the newspapers and electronic media and not their courtrooms. Till date only 2 cases of human trafficking are before one of the High Courts in Benin City.
- 4) The few cases on trafficking charged to different courts in the Magistrates Court of Edo State since the amendment of the Criminal Code by Edo State Legislature in 2000, have met with one difficulty or another. It is either that the suspects have jumped bail and absconded or that the Police have not been able to prosecute due to absence of witnesses or that the complainants are not willing to testify against suspects.
- 5) The machinery of justice is so slow that many cases linger in court for as many as 2 to 4 years without conclusion. This is due to several adjournments caused either by Police prosecutors, absence of witnesses in court, or transfer of presiding magistrates. When any of these occurs, the case is either started *ex novo* or struck out of the cause list for lack of diligent prosecution. The delay in prosecuting these cases contributes to the frustrations of prosecution witnesses who ultimately stop coming to court.
- 6) There is also the problem of administrative bottlenecks. The survey team had initially requested for the record of 50 cases. Despite a generous fee negotiated with the typists attached to the various courts, the typists were only able to produce the records of 15 cases over a period of 2 months from April to June 2003, for the case files analyses. The typists complained that they had no easy access to the record books and that some of the magistrates had very bad handwriting that was not easy for them to decipher. "Checkers" who also had to trace the record books to verify what the typist had typed, further delayed even the few they typed.
- 7) There were no statistics on the number of trafficking - related cases that had come before the courts over the years.
- 8) Two Chief Magistrates were able to recognize that human traffickers have resorted to using the Adoption laws of Edo State as an avenue of legally trafficking minors and young women from Nigeria into Europe.
- 9) The courts are not doing enough to re-arrest absconding suspects for prosecution.
- 10) They seem to wait endlessly for the suspects to re-appear, and if not, strike out or dismiss the charges against them. Most of the cases that got to court were either not properly investigated by the Police or were charged under wrong sections of the Criminal Code resulting in the discharge and acquittal of suspects.

- 11) There is no Law authorising the confiscation of earnings and assets from trafficking. The new law provides for confiscation of assets only in cases where offenders were previously convicted outside Nigeria. On return to Nigeria, they are retried “*for bringing the country’s image into disrepute*”. If found guilty, their assets are forfeited to Government in addition to a jail term of 2 years (Clause 25).

In summary, there are no encouraging results coming from the courts in terms of prosecutions and convictions. The courts themselves are incapacitated as a result of inadequate legislation and in some cases the uncooperative attitude of witnesses to testify against the accused persons. There is also a lot of extra - judicial settlement done by both parties whereby complainants then come to court to say they were withdrawing their charges against the accused persons.

Law Enforcement:

- 1) There appears to exist a rivalry among Immigration and the Police, and Interpol as to which agency has jurisdiction in trafficking matters and who should handle repatriated/returnee victims.
- 2) The relevant agencies like Immigration, Police and the SSS are not working in concert. Each agency is doing its own thing and doing its utmost best to shield the others away from their operations.
- 3) Virtually all the agencies complained of lack of funding from the Federal Government. Whatever assistance they have now comes from the Italian Government, NGOs and organisations, like IOM and TAMPEP.
- 4) There are no comprehensive statistics obtainable from the agencies about cases of trafficking because there is no database in any of the agencies. Whatever figures were supplied to the Survey Team came in bits and pieces.
- 5) The Police have no criminal records of trafficking suspects and no information on trafficking organisations. The Travel Documents Section of Interpol in Alagbon, Lagos particularly complained that lack of funds and administrative bottlenecks frustrate efforts to pursue very good leads to criminal rings.
- 6) The Police either lack good techniques of investigation or have no trained manpower and funds to carry out adequate investigations within and outside Nigeria.
- 7) There is no good working relationship between the Immigration, the Police and the Edo State Liaison Office in Lagos. The 2 agencies complained that the Liaison Office is uncooperative about receiving victims while the Liaison Office complained of the inconvenient hours in which the victims are deposited in the office without notice most of the time. The end result is that as soon as victims disembark at the Liaison Office, they vanish into thin air in the absence of any restriction.
- 8) The Nigeria Immigration Service does not have a synchronizing machine to keep track of issued passports. This would have made it possible to identify multiple passports through fingerprints stored in a central database.
- 9) There is a high incidence of corruption among public officials who collude with traffickers to escape arrest or to facilitate procurement of visas and passports respectively. The poor investigations done by Police in some cases

ensure that offenders escape punishment. Some corrupt Immigration officials (in collusion with officials of airlines and other security agencies at the airports) are alleged to have assisted victims to board planes using invalid or forged passports and visas.

- 10) The prisons in Benin or elsewhere in Nigeria are yet to receive a single convict from cases of trafficking.
- 11) There certainly have been no investigations into the financial dealings and assets of traffickers. The new *Trafficking in Persons Act* provides that any person convicted outside Nigeria for an offence relating to trafficking, shall on return to Nigeria after serving his term in that country, be tried in Nigeria (for bringing the name of Nigeria into disrepute). On conviction, he/she will forfeit his/her assets to the Federal Government of Nigeria, in addition to a jail term of 2 years.

6.2 Recommendations

Nigeria is a signatory to the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. The purposes of the Protocol are:

- a) To prevent and combat trafficking in persons, paying particular attention to women and children;
- b) To protect and assist the victims of such trafficking, with full respect to their human rights; and
- c) To promote cooperation among States Parties in order to meet those objectives.

To achieve these objectives, the Protocol states that each State Party shall adopt appropriate legislative and other measures to criminalize trafficking activities. Each State Party is also expected to implement measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, where appropriate in cooperation with non-governmental organizations, and other elements of civil society, in particular the provision of:

- Appropriate housing
- Counselling and information, especially as regards their legal rights
- Medical, psychological and material assistance
- Employment, educational and training opportunities
- Endeavour to provide for the physical safety of victims
- Measures that offer victims the possibility of obtaining compensation for damages suffered.

Essentially, the over-riding recommendation is that the Federal Government should take steps to implement the Protocol to which it is a signatory. In making recommendations, it is recognized that there is a need to take into account the various aspects of the problem. The Protocol has taken note of the multi-dimensional nature of human trafficking, it is a criminal problem, a human rights problem, a labour problem and a public order problem. Specific recommendations

are now made, based on the findings of this study. These recommendations apply to both the Federal Government as well as State Governments that are source states for victims, especially the Edo State Government.

Legislation/measures to combat trafficking:

- 1) *The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act* was passed into law in July, 2003. Inasmuch as this is a starting point in combating trafficking in human beings, the Act places much emphasis on trafficking in minors for sexual/immoral purposes. It pays less attention to the fact that adults can be trafficked into prostitution or other forms of forced labour or servitude.
- 2) The Federal Government of Nigeria must as a matter of urgency, come out with a clear policy on the prevention and control of trafficking human beings and an international working relationship with all the countries along the trafficking routes as well as the destination countries on the issue of trafficking in humans. This is provided for in the Act which states that the National Agency for Prohibition of Trafficking in Persons (NAPTIP) shall work to improve international cooperation in the suppression of traffic in persons by road, sea and air; strengthen and enhance effective legal means for international cooperation in criminal matters for suppressing the international activities of traffic in persons.
- 3) The Federal Government policy on human trafficking must be depoliticised. The National Agency for Prohibition of Trafficking in Persons should comprise personnel from all the stakeholders in Law Enforcement i.e. Justice, Police, Immigration, Security Services, Customs, Interpol, Prisons as well as representatives from NGOs, State Liaison Offices and all other relevant persons or groups. Membership should not be based on political affiliations.
- 4) There should be an enabling law that would authorize the confiscation of assets acquired from trafficking to deter traffickers. The new Act only provides for confiscation of assets of offenders who have been convicted abroad, and are retried in Nigeria for bringing the country's image into disrepute. No clear statement is made on the assets of offenders tried in Nigeria in the first instance.
- 5) There should be a policy of aggressive funding of the current Human Trafficking Units in the Law Enforcement agencies by the Federal Government and its foreign collaborating agencies and bodies to aid them in tracking, arresting and prosecuting traffickers and the adequate rehabilitation of victims until the setting up of a specialized agency to handle trafficking matters.
- 6) The machinery of Justice is too slow in the regular courts. Any law setting up the proposed agency on human trafficking must provide for special courts, which can handle trafficking offences expeditiously while witnesses are still available and ready to testify before they are persuaded to change their minds by their traffickers, agents or family.
- 7) There should be some form of passport control at the federal level. The NIS should have synchronizing machines with a national on-line database comprising records and fingerprints of recipients of all passports issued. This

would minimize the problem of passports issued to the same individual in different names or under different identities.

- 8) The relevant HTU, currently in the Law Enforcement agencies, should be manned by honest and competent personnel who are trained in modern investigative techniques.
- 9) The Federal Government must put in place a witness protection programme that would encourage witnesses to be willing to testify, with the knowledge and assurance that they and members of their families are safe before, during and after the trial of offenders, this is provided for in Clause 45 of the *Trafficking in Persons Act*

Measures to prevent/reduce trafficking:

Both the Federal and State Governments should urgently take measures to prevent trafficking in women and minors. For a start, Government should strengthen the capacity of selected NGOs as well as support them financially to enable them contribute to preventive activities. They should collaborate with NGOs and other civil society organizations to implement the following:

- 1) Mount effective campaigns against trafficking, stressing the negative effects such as the risks to which victims are exposed along the routes; the risks they face working as street prostitutes; the risks of HIV/AIDS and other health hazards. Families of victims tend to benefit more from their prostitution than the victims themselves. Such campaigns should include the use of billboards, the mass media, lectures and seminars in communities, recreational centers frequented by the youth, and educational institutions in both urban and rural areas. Parents, especially mothers who tend to pressurize their daughters to be trafficked, should be special targets of such campaigns. Campaign materials could include films and documentaries showing the negative dimensions of trafficking for prostitution abroad.
- 2) The Ministries of Information and National Orientation Agency have important roles to play if all communities are to be reached. They should mount state-wide and national awareness campaigns on the evils of trafficking in human beings. All communities, especially rural communities, should be covered.
- 3) Address the root causes and associative factors encouraging trafficking in women, such as: societal attitudes towards women; gender discrimination in access to education; large family sizes, high levels of poverty and unemployment in the country/state.
- 4) Set up more skill acquisition centres where the youth (male and female) can acquire various occupational skills. At the end of such training, they should be provided with credit to become self-employed.
- 5) Take positive steps to provide employment opportunities for the youth, and create an enabling environment for the private sector to invest and increase employment opportunities. This will include provision of infrastructure such as electricity, water, and communication facilities as well as cheap credit for the youth to become self-employed.
- 6) Discourage traffickers by arresting and prosecuting them as well as confiscating their ill-gotten wealth.

Measures to reintegrate and protect victims:

At present, efforts to reintegrate victims are very minimal. Evidence of lip service is the fact that the bill against trafficking was in the National Assembly for over 2 years, it was only passed into law in July 2003 (after the completion of the field work for this study). *The Palermo Protocol*, already spells out activities Governments should undertake to reintegrate victims in the society. Accordingly, Federal and State Governments should:

- 1) Set up Rehabilitation Centres (one at the federal level and one each in source states) where victims will be received on repatriation. Such centers will provide safe houses for victims as well as offer remedial education and skill training. It will also offer counselling services to victims and their relations. Victims can remain in such centres for a period of time until they are oriented towards a new life back home in Nigeria. Government should identify some NGOs and draw up a programme for rehabilitation of victims after they have left the Rehabilitation Centres.
- 2) After leaving the Rehabilitation Centres, victims should be linked up with selected NGOs in their state of origin or any other town where they wish to resettle for continued counselling and assistance. Minors can be assisted to continue their education.
- 3) Victims should be assisted to obtain housing and employment. Where they wish to go into self-employment, they should be assisted to access cheap capital to set up their businesses.
- 4) Victims should not be stigmatised by showing them in the mass media, they should be treated as victims and not as offenders. Many of them return to Nigeria emotionally and physically brutalized, they should therefore be assisted to find themselves through counselling and spiritual guidance.
- 5) In rehabilitating victims of trafficking for prostitution abroad, victims of trafficking for prostitution within the country should not be left out. There are many brothels in Nigerian cities where young women are under the same bonded slavery as those trafficked abroad. Some victims told us that they know such places in Lagos. That is, rehabilitation should not only focus on victims trafficked outside the country but should include those trafficked within the country.

Recommendations for destination/transit countries

Destination countries: On their own part, in the spirit of the *Supplementary Protocol of the Palermo Convention*, and the need for international collaboration to combat trafficking in human beings, Governments of destination countries should:

- 1) Assist Federal and Edo State Governments to establish and equip Rehabilitation Centres to receive and rehabilitate victims of trafficking deported from their countries.
- 2) Assist in building capacity of selected NGOs to participate in preventive and rehabilitative programmes for trafficked women and children.
- 3) Collaborate with Nigerian criminal justice and Law Enforcement agencies such as Immigration, Police, Interpol and the intelligence services.

- 4) Assist in capacity building of criminal justice and Law Enforcement agencies to combat trafficking in women and minors. Areas of weaknesses have been identified earlier.
- 5) Treat victims with humaneness at the time of repatriation since this project is about protecting the human rights of victims. Victims should be treated as victims and not as offenders. They should, therefore, be allowed to pick up their possessions and be properly dressed before they are put on board a charter flight to Nigeria. At least, they can return home with their dignity intact and not as detainees. If possible, they should receive counselling before being repatriated to Nigeria.
- 6) Governments of destination countries should take steps to criminalize exploitation of prostitution where majority of victims are to be found. It will be difficult to prevent trafficking from Nigeria to Italy as long as there is high and sustained demand for prostitutes. Traffickers engage in their trade because it is easy to push victims into the streets as prostitutes who are easy to exploit.
- 7) To make traffickers irrelevant, destination countries can consider the option to adopt legislation which will make it possible for young women to secure employment on arrival. A situation similar to the on-going American Visa Lottery, may help to reduce the clandestine activities of traffickers.

Transit countries: Transit countries should collaborate with the Nigerian Government to combat trafficking out of Nigeria through their countries in the following areas:

- 1) Collaboration between their Law Enforcement agencies such as Immigration, Police, Interpol and the intelligence services.
- 2) Assist to arrest and repatriate victims and traffickers back to Nigeria.
- 3) Assist to track down their citizens who assist in procuring fake travel documents for victims and traffickers passing through their countries.

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Legislative framework

Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003

UN Convention Against Transnational Organised Crime, 2000

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, 2000

The Criminal Code (Amendment) Law, 2000

The Criminal Code (Amendment) Law of Edo State, 2000

The Constitution of the Federal Republic of Nigeria, 1999

The Female Circumcision and Genital Mutilation (Prohibition) Law of Edo State, 1999

ILO Convention on Minimum Age and Forced Labour, 1999

Beijing Platform of Action Under Strategic Objective D3, 1995

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

The Criminal Code (Southern Nigeria) Act, Cap. 77 Laws of the Federation of Nigeria, 1990

Convention on the Rights of the Child, 1989

National Drug Law Enforcement Agency Act, 1989 (now Cap. 235, Laws of the Federation of Nigeria, 1990)

Harmful Wastes (Special Criminal Provision, etc.) Act, 1988 (now Cap. 165, Laws of the Federation of Nigeria, 1990)

Federal Environmental Protection Agency Act, 1988 (now Cap. 131, Laws of the Federation of Nigeria, 1990)

African Charter on Human and Peoples' Rights, 1981

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979

The Criminal Code Law of Bendel State, 1976

General Assembly, Resolution 55/67

The Penal Code (Northern State) Federal Provision Act, Cap 345 Laws of the Federation of Nigeria, 1963

Convention for the Suppression of the Trafficking in Persons and of the Exploitation of Prostitution of Others, 1949

The Universal Declaration of Human Rights, 1948

APPENDIX 1

Poverty headcount by state and region, 1996 (%)

State/region	Non-poor	Moderately poor	Core poor	Poor
<i>North East</i>				
Adamawa	33.0	32.6	34.4	67.0
Bauchi	16.5	39.6	43.9	83.5
Borno	47.6	38.0	14.4	52.4
Taraba	37.0	26.9	36.1	63.0
Yobe	13.2	37.2	49.6	86.8
N. E. Zone	29.9	35.7	34.4	70.1
<i>North West</i>				
Jigawa	17.5	53.7	28.8	82.5
Kano	42.2	40.3	17.5	57.8
Katsina	28.2	47.8	24.0	71.8
Kebbi	17.4	35.4	47.2	82.6
Sokoto	16.1	28.7	55.2	83.9
N.W Zone	22.8	39.9	37.3	77.2
<i>Central</i>				
Benue	35.8	39.1	25.1	64.2
FCT (Abuja)	47.0	25.9	27.1	53.0
Kaduna	44.0	41.2	14.8	56.0
Kogi	12.7	26.2	61.1	87.3
Kwara	32.5	32.6	34.9	67.5
Niger	47.9	37.3	14.8	52.1
Plateau	34.1	40.9	25.0	65.9
Central Zone	35.4	36.6	28.0	64.6
<i>South East</i>				
Abia	41.4	34.3	24.3	58.6
Anambra	58.2	30.4	11.4	41.8
Enugu	43.2	41.7	15.1	56.8
Imo	46.6	32.8	20.6	53.4
S. E. Zone	46.5	35.3	18.2	53.5
<i>South West</i>				
Lagos	47.0	29.4	23.6	53.0
Ogun	30.1	36.0	33.9	69.9
Ondo	28.4	37.5	34.1	71.6
Osun	33.3	32.1	34.6	66.7
Oyo	51.0	30.7	18.3	49.0
S. W. Zone	39.1	33.4	27.5	60.9
<i>South South</i>				
Akwa Ibom	27.7	38.9	33.4	72.3
Cross River	38.5	36.3	25.2	61.5
Delta	40.7	32.9	26.4	59.3
Edo	46.7	37.6	15.7	53.3
Rivers	55.7	25.2	19.1	44.3
South South Zone	41.8	34.8	23.4	58.2
All Nigeria	29.3	36.3	34.4	70.7

Source: FOS, 1999, Poverty Profile for Nigeria, 1980-1996, Federal Office of Statistics, Lagos.

APPENDIX 2

Sample agreement between victim and recruiter

THIS AGREEMENT is made this day of 1999
BETWEEN: madam of (hereinafter referred to as the
“**Lender**”) of the first part **AND** Miss of (hereinafter
referred to as the “**Borrower**”) of the second part **AND** Mr.
..... hereinafter referred to as the “**Guarantor**”) of the third part.

WHEREAS:

- 1) The Lender is an international businesswoman engaged in large-scale overseas supply contracts and general trading.
- 2) The Borrower is a businesswoman who needs money to expand her business to overseas frontiers.
- 3) At the request of the Borrower, the Lender has agreed to lend to, and the Borrower has agreed to borrow from the Lender the sum of L90 Million (Ninety Million Lire). The Guarantor has agreed to guarantee the repayment of the loan.

NOW IT IS HEREBY AGREED as follows:

- 1) The Borrower hereby acknowledges receipt of L90 Million (Ninety Million Lire) lent to her by the Lender and the Guarantor also acknowledges the payment of same to the Borrower. The loan is interest-free.
- 2) The Borrower and the Guarantor jointly and severally covenant with the Lender to repay to her the entire sum by convenient instalments at suitable intervals within one year from the date of this agreement. The entire sum must be repaid within a reasonable period of time.
- 3) That the mode of repayment shall be gradual but regular remittance of a reasonable part of the said loan to the Lender on a daily and/or weekly basis until the full repayment of the said loan.
- 4) The Lender shall not be obliged to claim payment from the Borrower before resorting to the Guarantor for payment and the time given by the Lender to the Borrower to pay any instalments or the entire sum payable or any other indulgence granted by the Lender to the Borrower or Guarantor shall not affect or release the Guarantor from repayment.
- 5) That this Agreement shall be binding on all the parties and no want of form or due execution shall render same null and void.

AS WITNESS the hands of the parties the day and year first above written

SIGNED by the within-named

Lender

In the Presence of:

Lender

NAME: _____

ADDRESS _____

OCCUPATION _____

SIGNATURE _____

