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**HUMAN TRAFFICKING FOR COMMERCIAL  
SEXUAL EXPLOITATION: CASE STUDY OF THE  
NIGERIAN SEX TRAFFICKING INDUSTRY**

This Thesis is submitted to the

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By

Yakubu Yahaya

Zirve University

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Photo of a commercial sex worker by Paolo Patrizi

*I dedicate this thesis*

*to*

*My Mother for being there for me and my father for believing in me.*

## **AUTHOR DECLARATIONS**

The material included in this thesis has not been submitted wholly or in part for any academic award or qualification other than that for which it is now submitted.

July 2013

## **ABSTRACT**

**July 2013**

### **Human Trafficking For Commercial Sexual Exploitation: Case Study of the Nigerian Sex Trafficking Industry**

This thesis seeks to examine the interplay between human trafficking and sexual exploitation. Also how neoliberal economic structures and free movement of human capital as entrenched in globalization determine trends in trafficking of Nigerian women and girls to Italy for commercial sexual exploitations.

A case study was conducted to give a detail insight into the phenomenon of trafficking in women and girls for commercial sexual exploitation in the Nigerian context.

After providing the legal and theoretical framework for the purpose of this thesis, it's recommended that more emphasis be placed on female education in Nigeria in an attempt to curb the illicit trade in women for commercial sexual exploitations.

**Key words:** human trafficking, sexual exploitation, vulnerability, globalization

## KISA ÖZET

Yakubu Yahaya

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### **Ticaret Amaçlı Cinsel İstismar ve İnsan Kaçakçılığı: Nijeryadan İtalyaya İnsan Ticareti Vaka Çalışması**

Bu tez insan ticareti (kaçakçılığı) ile cinsel istismar arasındaki karşılıklı etkileşimi incelemektedir. Bunun yanısıra küreselleşmenin köklü parçaları olan neoliberal ekonomik yapı ile insane kaynaklarının Nijeryalı kadınların ticari cinsel istismar amacıyla İtalya'ya kaçırılmalarının nasıl belirlediğini ele almaktadır. Nijerya kontekstinde ticari cinsel istismar ve insane kaçakçılığı olgularına yönelik detaylı bir içgörü sağlamak adına çalışma dâhilinde bir vaka çalışması da yapılmıştır.

Tezin amacına yönelik yasal ve kuramsal bir çerçeveye oluşturulduktan sonra, kadınların yasal olmayan yollarla ticari cinsel istismara uğramalarını önlemek için öncelikle Nijeryada kadınların eğitimine daha fazla önem verilmesi tavsiye edilmiştir.

**Anahtar kelimeler:** insan ticareti (kaçakçılığı), cinsel istismar, savunmasızlık, küreselleşme

## **List of Abbreviations**

CIDA	Centre for Internal Development for Africa
ILO	International Labour Organization
IOM	International Organization for Migration
NAPTIP	National Agency for Prohibition of Trafficking in Persons
OHCHR	Office of the High Commissioner on Human rights
SAP	Structural Adjustment Policy
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNODC	United Nations Office on Drugs and Crime
WOTCLEF	Women Trafficking and Child Labour Foundation



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## CHAPTER ONE

### INTRODUCTION

The incidence of human trafficking for commercial sexual purposes in Nigeria could be spurred by the desire to amass material wealth by traffickers and the desire to obtain a better standard of living abroad by prospective victims. According to Olujuwon, “Human trafficking is a global demand driven business with huge market for cheap labor and commercial sex. It involves exploiting vulnerable people like needy women, children and young men with offers or promises of employment and better life abroad” (Olujuwon, 2008:65). Also according to Bales “human trafficking is not a new phenomenon, either in the form of slavery for labor purposes. Origin of trafficking policy dates back to the end of the nineteenth century when *white slavery* or trafficking of white women for forced prostitution received wide media coverage in Western Europe and the United States” (Bales, 1999:71).

Furthermore, “The forms of human trafficking are varied and to a large extent multifaceted in dimension calling for an integrated approach. In most cases, the structural factors of human trafficking are similar to one another such as underlying economic and social context but in the larger context its pattern are varied and depend on geographical and regional locations” (Cameron, 2008:3). The United Nations Office on Drugs and Crime document also states that: “globally, an estimated 12.3 million people are enslaved. Out of this number an estimated 2.5 million people are in forced labor, which includes coerced prostitution and sexual exploitation” (UNODC, 2012:3).

Globalization and regional integration have contributed to human trafficking becoming the fastest growing and the third most wide spread criminal enterprise in the world after drugs and weapons trafficking (Nagle, 2008:24). Human trafficking according to Odigie & Patience “is a phenomenon that is currently generating a lot of

concern globally especially in countries like Nigeria where it is highly prevalent” (Odigie and Patience, 2008:63). A UNODC report on trafficking in person also shows that “this is one of the most lucrative illicit businesses in Europe, where traffickers make around 2.5 billion US Dollars per year through sexual exploitation and forced labor” (UNODC, 2010:15).

This thesis seeks to examine the criminal phenomenon of human trafficking specifically. The thesis will mainly delve into the interplay between globalization and human trafficking for commercial sexual exploitation in the Nigerian context. For that matter, various elements commonly associated with the illegal enterprise known as, human trafficking will be examined including the history, policies and contemporary issues that determine the trends of human trafficking in Nigeria.

Though there are structures in place as non-governmental organization, regional legislations, bilateral understandings, governmental legislation and individual efforts set up, in an effort to combat trafficking trends, but practices of human trafficking activities still prevail today. Thus, the economic movement of neoliberalism and the process of globalization of world economies will be considered as determinants of human trafficking trends for the theoretical framework of this thesis. Also, a case study will be considered in order to give a more detailed insight into the phenomenon of human trafficking. Thus, this thesis seeks to question how the economic movement of neoliberalism and free movement of human capital resources across national borders as entrenched in globalization, affect trends in trafficking of Nigerian women for commercial sexual exploitation.

Neo-liberalism in this context can be said to be both economic theory and a policy stance. Neo-liberalism as a theory claims that a largely uncontrolled capitalist structure or free market economy, does not only entrenches the ideal of free individual choice but also brings about maximized economic performance as regards efficiency,



stable economic growth; technical and technological progress in a globalized world. In a neo-liberal system, the state is assigned limited role and control over property and infrastructural rights, enforcing contracts and regulating the monetary supply. As neo-liberalism views, state intervention to correct market failures with suspicion of incapability on the ground, such intervention is likely to create more problems than it solves.

While globalization on the other hand can be seen as increases in the volume of inter border economic interactions and resource flows, which results in a qualitative shift in the relations between national economies and between nation's states. These interactions between states have perforated barriers between borders, bringing about the easy movement of human capital resources across national borders.

According to Stoecker there are "...at least four factors facilitating the growth of this phenomenon the globalization of the economy; the increased demand for cheap personal services in the developed world, the continuing rise in unemployment among women and the rapid unregulated enticement of human capital via internet" (Stoecker, 1999:129). Thus, it can be argued that, globalization and integration of world economies might have created disparities in income gaps amongst developed and developing countries, as a result of neo-liberal economic structure also evident in globalization, increased demand for cheap labor in developed countries and the ability of developing countries to supply such cheap labor. Which could be as a high unemployment and poverty level, ill-informed migration could all be argued as some driving factors behind the increase in human trafficking trends in Nigeria.

For the purpose of this thesis, *ill-informed* migration can be seen as a situation where the prospective victim accepts willingly or through coercion, deceit to be trafficked for the purpose of commercial sex hawking without knowledge of the working

and living condition that awaits them in their respective destination country, in this context Italy.

According to a UNODC publication “the many different types of human trafficking means there is no single typical victim profile, cases are seen in all parts of the world and victims are targeted irrespective of gender or background” (UNODC, 2004:15). Also “the most common form of human trafficking as detected by national authorities is the trafficking for sexual exploitation. In 2006, this form accounted for an estimated 79% of all cases globally; the remaining 21% of victims were thought to be for forced labor and other forms of exploitation” (UNODC, 2010:14). Thus, from the above figures, it can be argued that trafficking for sexual purposes constitute the highest figures globally, and can be said to be an issue of contention in today’s global society.

## **1. Human Trafficking Defined**

In an attempt to define human trafficking, there is the need for clarification as to the differences between human smuggling and human trafficking. According to Bhabha, “the smuggling of human beings across international borders has grown rapidly. A small scale cross border activity affecting a handful of countries has become a multi-million dollar activity that is global in scope” (Bhabha, 2005:1). Also “the numbers of people smuggled, the conditions that they endure in transit and their treatment on arrival is patchy at best. It is currently estimated that some 800, 000 people are smuggled across borders every year” (Bhabha, 2005:1). Thus, from the above statement it can be argued that human smuggling is a large illegal and growing enterprise, considering the figures of human being smuggled annually and the amount of money generated as a result.

For the purpose of this thesis the Palermo Protocol of the UN, which is considered the generally accepted definition for both human trafficking and human

smuggling, would be considered. The Palermo protocol has defined human smuggling as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of illegal entry of a person into a state party of which the person is not a national or a permanent resident” (UN, 2001:4). From the above definition it can be argued that the two critical components imbibed in human smuggling could be, illegal border crossing of the smuggled and receipt of financial or other material benefit by the smuggler, for rendered smuggling services. In essence it can be argued that in the case of human smuggling, the smuggled person pays for the services of a smuggler to be taken across international borders illegally. And such contract between the smuggler and the smuggled might be terminated upon arrival of the agreed destination country. While human trafficking has been defined by the Palermo Protocol as:

the recruitment, transportation, transfer, harboring, or receipt of persons by means of threat or the use of force or other means of coercion, abduction or fraud of deception, of the abuse of power or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include at a minimum prostitution or other forms of sexual exploitation, forced labor services, slavery or practices similar to slavery, servitude or removal of organs (UNODC, 2002:2).

Thus, from the above generally accepted definition, it can be argued that three components imbibed in human trafficking may include but not limited to;

- Recruitment of the victim from country of origin;
- Transportation of victim to destination country, and;
- Exploitation of victim, in this context commercial sexual exploitation.

Odigie and Patience elaborated the various categories of vulnerability of victims as:

The vulnerability of prospective victims are exploited in many respects, (1) the victims are mostly pre-teens, (2) teenagers ages between 13 and 19 years old, (3) and mostly females taken far away from their homelands to cities within their country or across national boundaries and exploited for optimum economic benefits. Many of them are engaged in cheap labor such as domestic servants, hawkers, beggars, prostitutes or put into other forms of servitude akin to slavery (Odigie and Patience, 2008:64).

Also according to Keefer “human trafficking is ranked the world’s third largest crime” (in Odigie and Patience, 2008:64). “Nigeria has signed and ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, often referred to as the Palermo Protocol, domestic legislation and legal practices in the area of trafficking remain erratic however”(Carling, 2005:1). Subsequently, the global outcry as a result of human trafficking activities could be informed by obvious degradation that comes with the services akin to slavery of which victims of human trafficking render. This could have informed the initiation of several global, regional, government legislation such as, Palermo Protocol, ILO conventions amongst others as regards human trafficking, in an effort to address the phenomenon of human trafficking.

## **1.2 Background and Country in Focus**

Nigeria is the most populous black nation in the world with an estimated population of 172 million people, geographically located in the western African region. It’s the 5<sup>th</sup> largest producer of crude oil, has about 5.3 % annual growth rate, but its estimated that about 70% of Nigerians live in poverty. Life expectancy is low at 54 years, infant mortality 77 per 1,000 and maternal mortality at 704 per 100, 000 this is said to be highest in the world (Olujuwon, 2008:23).In an attempt to give a more detailed insight to Nigeria Olujuwon would be further quoted:

the above features are legacies of decades of prolonged military rule coupled with mismanagement and corruption, which have daily impoverished the people and made them popters of a sort amidst plenty abundant natural resources, this act of misrule have increased anti-social behavior amongst the populace and resultant effects are shared among all stakeholders in the country. Sadly the quests for material wealth at all cost have introduced a new dimension and vocabulary into the psyche of Nigerians, namely, human trafficking (Olujuwon, 2008:23).

The poor institutional government structure could also be seen as an independent variable that determines trends in trafficking, but it's not intended to be discussed in details for the purpose of this thesis. Odigie and Patience also states, "... although Nigeria has enormous natural and human resources, corruption has taken a toll on the country's economy. Nigeria has been rated one of the poorest countries in the world, and so widespread poverty abounds even in the midst of abundant resources. Thus, poverty has been identified as the principal driving force behind this trade and the most visible cause of vulnerability of women and children to trafficking in Nigeria" (Odigie and Patience, 2008:67).

Thus, it can be assumed that widespread poverty which is evident in Nigeria, as concurred by the above statement, could be a push factor of human trafficking. As it might bring in the notion of migrating to more developed countries in search of a better standard of living, subsequently the notion to migrate could be exploited by traffickers whom prey on the economic vulnerability of their prospective victims, and traffic them abroad with the promise of a better paying job or standard of living and exploit them for their own economic gains. In this context trafficking and subsequent exploitation of women for commercial sexual purposes.

Also, "...perhaps, the nefarious activities of traffickers in Nigeria would have in Nigeria willed have remained hidden and uninhibited despite general concern but for the intervention of the office of the then wife of the vice president in collaboration of the wife of the Edo state governor in 1999. As the treatment meted out to trafficked victims

in the process of transporting them and at the various destinations, especially those abroad, had become a huge source of embarrassment to Nigeria's integrity as a nation" (Odigie and Patience, 2008:65).

## **1. Internal Dynamics of Human trafficking in Nigeria**

Nigeria is both a transit and destination Centre for trafficking and the country also experiences internal and external trafficking of women and children. Internally, trafficking takes the form of recruitment and transportation of children from rural to urban Centre for different forms of labor under exploitative conditions (Olujuwon, 2008:26). Also as concurred by Odigie and Patience "...internal trafficking of women and children is not a new phenomenon. It has been going on with the trafficking of people from rural communities to major cities such as Abuja, Lagos, Kano, Kaduna, Calabar, predominantly for exploitative domestic work, scavenging, begging and prostitution" (Odigie and Patience, 2008:65).

In addition, "trafficking for organized begging takes place mostly in the northern part of Nigeria where physically challenged persons are lured into begging business in major cities such as Kano and Kaduna. Furthermore, experienced adult beggars traffic children under their custody. These children are compelled to lead the handicapped into organized begging; they are forced to do this for practically nothing or without any reward other than daily meals that maybe handed out to them along the streets. These trafficked children are denied access to formal education and proper social upbringing ([www.unesdoc.unesco.org](http://www.unesdoc.unesco.org)).

Subsequently, the desire to migrate from rural communities to major cities in Nigeria, could tend to increase the vulnerability of prospective victims to traffickers, also the inability of trafficked children to access any form of formal education could

limit their active participation in the formal sector upon their coming off age. This could keep them for longer period in servitude or services akin to slavery, as they cannot get a gainful employment in the absence of any formal or technical skill.

Thus, it can be argued that the urge to migrate from rural to urban city cities coupled with poverty and inability to access any formal or technical skills to compete in a globalized society or formal sector of the economy, could be seen as the push factors behind the incidence of internal human trafficking in Nigeria.

Also baby harvesting is another form of internal trafficking that takes place in Nigeria; "... in states like Ebonyi, Abia and Lagos, there are cases of hospitals, clinics, orphanages, doctors and nurses who keep teenage and single mothers who do not want to keep their babies after birth to provide them shelter and care while they are pregnant and sell off their babies for a premium to couples that need them. They are made to sign papers renouncing their rights to the babies" (Odigie and Patience, 2008:66). In this case, single mothers or teens might be forced to sell off their babies, as they cannot provide for them as a result of their economic status. Thus, it can be argued that poverty also plays a role in baby harvesting which is another form of trafficking as it involves sale and purchase of persons, in the internal dynamics of human trafficking in Nigeria.

### **1.2.2. External or Cross border Trafficking in Nigeria**

According to the United Nations Educational, scientific and Cultural Organization (UNESCO):

Nigeria has been described as a country of origin, transit and destination for human trafficking and African countries like Equatorial Guinea, Mali, Cameroon, Gabon, Libya, Algeria, morocco are some destination points for trafficked women; while countries like Belgium, Spain, Germany, United Kingdom, are some destination points in Europe. The trends of

Nigerian women and girls trafficked to Europe to be used as domestic servants, whereas in Italy prostitution is the main work they usually end up doing (in Odigie and Patience, 2008:66).

The vulnerability of these women could be as a result of their inability to actively participate in the formal sector, due to high cost of education as a result of privatization, which is supported by a neoliberal economic structure. And the easy transfer of human beings across borders as entrenched in globalization is being exploited by traffickers, to move victims from community of origin to destination with ease and exploit them for optimum economic benefit. Thus, it can be argued that a neoliberal economic structure has created an atmosphere of increased income gap between developed and developing countries and globalization on the other hand have encouraged the movement of human capital across border, which traffickers could abuse.

According to Odigie and Patience (2008:67), “Nigeria has been rated one of the poorest countries in the world and so widespread poverty abounds even amidst of abundant resources”. Thus, it seems poverty, resultant effect of unemployment and the quest for material wealth and notion of a better standard of living abroad could be seen as factors behind the drive of external form of human trafficking in the Nigeria context. It would be worthy to give a more detailed analysis of why girls and women are the most vulnerable victims of human trafficking in Nigeria.

### **1.2.3Feminization of Poverty in Nigeria**

This sub-section sought to link feminization of poverty not only in Nigeria but also in developing countries to the ugly phenomenon of human trafficking. According to Centre for Internal Development for Africa (CIDA):



studies have in one way or the other sought to link poverty with the incidence of human trafficking especially for sex trade. They argue that the level and persistence of poverty in the sub-Saharan Africa aggravates the incidence of human trafficking among low-income countries. Central to the preservation of this argument is the concept of the feminization of poverty. This concept provides that women are the majority of world's poor. Women provide over 75% of the world's labor and yet have less than 10% control over world's resources and assets (in Fayomi, 2009:67).

Also, contemporary African traditional barriers which are applicable in Nigeria see the female gender as secondary to the male gender, could be attributed to be a causative factor of feminization of poverty in Nigeria. As they are excluded from active political, social and economic spheres of the society and are mostly accorded the status lower than that accorded males. For the purpose of this thesis more detailed insight will not be provided but it will be considered as a background issue. In buttressing the notion of feminization of poverty, "...in Nigeria, where 70% of the population is reported to be living below income poverty line of 1\$ per day; women make up greater percentage of the poor in Nigeria. Gender inequalities in the social, economic and political spheres of development further marginalize women and reinforce their disadvantaged position in the society especially in the access to and control over resources" (In Fayomi, 2009:67).

Thus, it can be argued that the above figures have further ascertained the secondary status assigned to women in Nigeria. Their inability to engage gainfully in the formal sector tends to bring in the notion of migrating elsewhere in search of employment opportunities in a global world, with little or no form of formal education or technical skills. This, like a chain reaction makes them vulnerable to promises of better standard of living or employment abroad to traffickers, who traffic them abroad mainly for commercial sexual purposes.

Furthermore, Fayomi further elucidated the above analyses providing statistical data as, "In addition, gender comparative data for adult literacy reveals a wide gender gap of 74.4% for males as against 59.4% for females in 2008 figures. In formal

employment sector men fare better than women in Nigeria. Women's employment participation in the industrial sector is 11% compared to 30% for men. Also in the federal civil service, the largest single employer of labor in Nigeria, 76% of people on the payroll are men compared to 24% of women, while less than 14% of management level officers are women" (Fayomi, 2009:67). Therefore, it can be argued that such gendered employment, literacy level in Nigeria might tend to increase women's exposure to poverty manifestation, which in turn makes them vulnerable to traffickers. Acknowledged also by Olateru "...the usual bait for luring the Nigerian girls into trafficking for prostitution is the false promise of employment to earn a high valued foreign exchange, or vocational training or marriage" (In Fayomi, 2009:68).

Consequently, a further argument can be made that a socio economically disadvantaged person created as a result of poverty, derived from unemployment, maybe forced to consider offers and promises of better paying jobs abroad by opportunistic traffickers, who in turn traffic them with the intent of putting them into commercial sex hawking for the traffickers economic gains. In essence, it can be said that the feminization of poverty in Nigeria have seems to increase the vulnerability of women to trafficking for sexual purposes as a means to alleviate poverty.

#### **1.2.4. Historical Trends of Human Trafficking in Nigeria**

It was the case beginning from the mid-1980s that Nigeria experienced increases of human trafficking, especially of women and children. However, it was not long before it was realized that the scourge was indeed a global problem of extensive and diverse

dimensions (Agbu, 2003:1). Trafficking activities in Nigeria is highly prevalent in Edo state<sup>1</sup> located in the southern part of the country, as concurred by a UNESCO report;

In Edo state from where contemporary human trafficking started, it is alleged that business transactions existed between natives and Italians, when the Nigerian economy was more robust. However when the sex business became more lucrative in Italy coupled with worsening economic situations in Nigeria women shifted to sex business and involved their relations in it and with time more people in it as the business began to boom. This explains why till date, over 80% of persons trafficked for prostitution to Europe especially Italy come from Edo state (in Odigie and Patience, 2008:68).

Thus, economic situation in Nigeria or poverty could be assumed to be the reason of increased incidences of external forms of human trafficking in particular trafficking in women for commercial sexual purposes. But, poverty cannot be said to be the sole factor behind the drive of human trafficking activities in Nigeria, as indicated by Odigie and Patience (2008:68), “obviously there are close linkages between poverty and wide spread illiteracy as well as uninformed migration. Due to high rate of poverty, many Nigerians of school age are not in school because they cannot afford it”. Also, National Agency for Prohibition of Trafficking in Person (NAPTIP)<sup>2</sup> “identified ignorance with what victims are faced with when they are trafficked and desperation due to unemployment as other causes for the outrageous rate of human trafficking in the country” (in Odigie and Patience, 2008:69). Again, it can therefore be argued that

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<sup>1</sup> Edo state is geographically located in the southern part of Nigeria, and it is said that trends in human trafficking emanated from their and it’s still believed to be highly prevalent on a high level.

<sup>2</sup> Is an initiative of the federal government of Nigeria created in 2003 to address as regards trafficking for child labor and sexual purposes.

illiteracy, unemployment, poverty, ill-informed migration could be identified as major push factors behind human trafficking trends in Nigeria.

In reference to neoliberal economic system, privatization of public enterprise such as hospitals, schools, creates a series of problems, as the less fortunate cannot access basic amenities as education, health care, electricity just to mention a few. Therefore, these stiff economic conditions, partly created as a result of a neoliberal economic system as entrenched in globalization, often forces the less fortunate into considering ill-informed migration, in search of a better standard of living and acquisition of capital elsewhere. Which free movement of humans also encourages across national borders as also entrenched in globalization, this in turn like a chain reaction makes them vulnerable to opportunistic traffickers who prey on their economic vulnerability, deceive them with promises of better paying jobs abroad and traffic them for optimum economic benefits.

In essence, it can be said that trafficking trends in Nigeria is on the increase mainly as a result of poor economic conditions, high level of illiteracy, ill-informed migration and free movement of human capital across national borders as entrenched in globalization, which is abused by traffickers to move their victims from country of origin to destination country.

### **1.3. Statement of the Problem**

How does globalization, a process that encourages economic interdependence among states, free movement of human capital resources, determine human trafficking trends in Nigeria? According to Vayrynen, "...effects of globalization, in an increasingly international world have seen a rapid transfer of goods, services and social aspirations across borders. However, the expansion of areas of mobility, such as European Union,

has been accompanied by stricter border controls. This, set against a growing regional imbalance, has resulted in an increase in illegal migration and corresponding rise for human trafficking” (in M’Cormack, 2011:2).

Thus, such growing regional imbalances, disparities in wealth between developing and developed nations, have given the less fortunate the notion of a better standard of living in the developed world. This desire to migrate is being exploited by traffickers whom promise the much desired improved living conditions, traffic their victims from the developing countries to developed ones and exploit them mainly for economic gains.

Also, Vayrynen states, “the more closed such borders are the greater opportunity for transnational criminal groups, who have taken advantage (increased dependence on trafficked and exploited labor services and consumers seeking cheaper goods and services including sexual services) and supply (spurred by the desire to access a better standard of living) have resulted in a consistent increase in human trafficking activities” (in M’Cormack, 2011:2). Therefore, it can be argued that economic interdependence and free movement of human capital resources across national borders as entrenched in globalization, which comes with strict border control, may have created a sort of regional imbalance between developing and developed states. The desire to migrate with a notion of a better live accessible in the developed world is exploit by traffickers, who exploit the desperation of prospective victims, traffic and exploit them for optimum economic gains, in this context, trafficking in Nigerian girls and women to Italy for commercial, exploitative sexual purposes.

As acknowledged by Carling “the most important European destination for Nigerian victims is Italy, where they are said to be as many as 10, 000 Nigerian prostitutes” (Carling, 2005:5). This figure shows the extent to which Nigerian women are trafficked to Italy for sexual purposes. According to UNICEF, “about eight million Nigerian children are exploited for optimum economic purposes through airports, scripts

and forest abroad trucks and public transport vehicles also Italian authorities estimated that 10, 000 Nigerian prostitutes working in Italy many of whom are victims of human trafficking” (UNICEF, 2006:3).

The global practice of an increasingly interdependency between world economies, free trade, free transfer of human capital resources, as supported by a neoliberal economic system entrenched in globalization, has made it possible for traffickers to easily move their victims from origin to destination country. For example, the introduction of the internet a tool of globalization is being abused by traffickers, as they can easily purchase a travel ticket online, make visa applications for their victims online, which in turns like a chain reaction makes the nefarious activity of human trafficking difficult to detect. Aronowitz further expatiated that:

it is difficult to accurately measure the impact of trafficking because of its clandestine nature and hidden economies in which trafficked people work. Lack of legislation and inadequate national definitions; lack of political will; inexperience in dealing with the issue; corruption; victims inability or unwillingness to cooperate all make it difficult to determine the scale and impact (in M'Cormack, 2011:2).

For Nigeria, the situation was so bad that the then wife of the vice president, Titi Abubakar through her Non-Governmental Organization - Women Trafficking and Child Labor Foundation (WOTCLEF), that deals in human trafficking and related issues operational in Nigeria; took it upon herself to spearhead what would eventually become a serious fight against human trafficking in Nigeria (Agbu, 2003). Trafficking for sexual purposes could also be detrimental to the victim's health, as there are chances of contacting sexually transmitted diseases. For the above arguments, human trafficking can be said to be an issue of contention in an era of globalization.

#### **1.4. Justification of the Problem**

There is existing literatures that have rated human trafficking the third largest illegal industry in the world after drugs and arms trafficking. As concurred by Keefer “human trafficking is ranked the world’s third largest crime” (in Odigie & Patience, 2008:64). Unfortunately, trafficking activities might go unnoticed due to the hidden nature of activities of traffickers and nature of jobs the victims do. This could result in a situation, whereby traffickers exploit victims and make economic gains without being prosecuted.

Until recently, little attention was paid to the issue of human trafficking by governments and law enforcement agencies. Profits lack of effective laws, or the inability to penalize traffickers appropriately, and lack of efficient international data collection contribute to the problem (Corrin, 2005). Also, Odigie & Patience “in Nigeria, human trafficking especially the cross-border trafficking is a fast growing international organized crime. It is motivated and continues to thrive because of poverty, ignorance, selfishness, greed and lack of state capacity to translate policy into action” (Odigie & Patience, 2008:71).

Hence, with unemployment, poverty, ignorance, ill-informed migration, lack of political will and effective legislation being identified as some causes of human trafficking in Nigeria. There is need for better economic friendly policy by the government and strong legal framework as regards human trafficking. In an attempt to give a detailed analysis of human trafficking for commercial, sexual purposes in Nigeria, this thesis will examine literatures on human trafficking focusing primarily but not limited to trafficking for sexual exploitation, in an effort to provide a succinct assessment of human trafficking trends and policies, by conducting of structured interviews, analyses of journals and publications, analysis of visual documentaries as maybe related to this thesis. It will also seek to include analysis of the history, methods and dynamics of human trafficking for sexual purposes in the Nigerian context.

## **1.5 Contribution to Literature**

This thesis will seek to analyze the sending country, Nigeria and the drive behind the increase in human trafficking activities in the sending country. Also how globalization and integration of world economies have created disparities in income gap between developing and developed nations, and a corresponding desire to migrate in search of such better life, which results in human trafficking.

According to Olujuwon “there is little work done so far that look at victim of human trafficking community of origin from their own perspective” (Olujuwon, 2008:6). In view of that, this thesis will seek to analyze the community of origin of the victims, and the drive behind the rise in human trafficking activities in this community, with reference to neoliberalism and free movement of human capital as entrenched in globalization. In an attempt to contribute to existing literature on human trafficking for sexual purposes, through in depth interviewing, documentaries and other secondary data as maybe collected in the course of this thesis.

## **1.6. Thesis Structure**

This thesis is structured into six chapters. The introduction chapter sets the stage for the study, it comprises, introduction to human trafficking, statement of the problem, justification of the problem and relevance of the thesis.

Chapter two will examine methodology, research questions and mode of data collection. Chapter three should seek to analyze the legal framework as regards human trafficking. Chapter four will examine the theoretical framework; chapter five will seek to analyze the data collected during the course of this thesis and the case study, while



chapter six will include discussions, conclusions, recommendations for policy makers and reference list.

## **CHAPTER TWO**

### **METHODOLOGY AND RESEARCH DESIGN**

#### **2.1. Methodology and Research Question**

This chapter seeks to discuss the research method intended for the purpose of the thesis and reasons for choosing the method, also the role played by the researcher during field work as an insider perspective of a researcher. “Generally speaking there are various research methodologies with no single accepted research methodology applicable to all research problems. Each methodology has its own relative weakness and strength. No single research method is necessarily ideal and that selection inevitably involves loss as well as gain” (Schulze, 2003:14). Also “research method comprise of data collection, analysis and interpretation” (Creswell, 2009:15). In an attempt to have an understanding and interpretation of how human trafficking for commercial sexual exploitation works in Nigeria, a qualitative method of research would be considered to give a detailed insight into the phenomenon.

Lincoln broadly defines qualitative research as “a multi method in focus, involving an interpretive, naturalistic approach to its subject matter. This means that

qualitative researchers study things in their natural setting, attempting to make sense of, or interpret phenomenon in terms of the meaning people bring to them” (Lincoln and Dezin, 1994:2).

According to Barbor “qualitative research enable a researcher to unpack mechanism which link up variables, by focusing on explanations, or accounts provided by the interviewee while quantitative methods helps the researcher to identify statistically significant relationship between variables and produce diagrams showing patterns” (Barbor, 2008:11).

Despite the fact that one of the focal point of this thesis is a cause and effect relationship between variables, which is globalization and human trafficking, as this thesis seeks to explore the interplay between neo-liberalization of world economies, free movement of human capital resources as entrenched in globalization and human trafficking for commercial sexual purposes, the hard statistical data cannot be analyzed here, due to its absence. As there is no official data or generally accepted statistics on trafficking of Nigerian women and girls to Italy for commercial sexual purposes. The decision to apply qualitative research method, was also informed by the complexity and hidden economy that victims of human trafficking works which makes, official data or statistic on the phenomenon difficult to attain as acknowledged by Odigie and Patience, “the lack of accurate data on human trafficking and complexity of the crime has made it impossible to ascertain the exact number of victims of human trafficking” (Odigie and Patience, 2008:6).

The choice of this method also stems from the fact that values of qualitative research “lies in its enquiry capacity, through in depth interviewing and observation, to learn and understand underlying value groups” (Pierce, 2008:45). In this context the victims of human trafficking can be regarded as an underlying group, as this thesis seeks to analyze and interpret through in depth structured interviews, focused group

discussion, analysis of academic journal and other secondary data as regards human trafficking for sexual purposes, in an attempt to understand the drive behind the growth of trafficking activities in Nigeria, how people become vulnerable to traffickers, especially women, trafficked for sexual purposes. Thus, the main research question guiding this thesis is how the economic movement of neo-liberalism does and free movement of human capital across national borders as entrenched in globalization, affect trends in trafficking in Nigerian women for commercial sexual exploitation?

Also “Qualitative research methodology often rely on personal contact over some period of time between the researcher and the group being studied building a partnership with study participants tends to lead to a deeper insight into the context under study, adding richness and depth to the data” (Ulin, Robinson and Tolley, 2004:9). Thus, the use of this method should get the researcher closer to the subjects under study, which should in turn build a relationship of sort between the researcher and subjects, this could give room for better flow of information and in the end rich data can be generated for the purpose of this thesis.

## **2.2 Research Design**

The methodology, used for the purpose of this thesis can be said to be a mix empiricist method, putting into consideration context and interpretive methods in an attempt to make meaning of a phenomenon, human trafficking for sexual purposes in the Nigerian context. Since these thesis is about variables that affect trends in human trafficking in Nigeria, as stated in the research question in the early stages of this chapter, different research design are intended to be put together that best answer the underlying research question.

The research design, chosen by the researcher are analysis of structured interview, with open ended questions to give room for further explanation by subjects under study, analysis of visual documentaries, review of academic publications, books and journals as regards human trafficking, and review of official publications, policy papers and documents of International Labor Organization, United Nations, United Nations Office on Drugs and Crime also as regards human trafficking and other secondary data as maybe useful to these thesis. This should enable the researcher to give a detailed account of how human trafficking for commercial sexual purposes works, in the Nigerian context.

### **2.3. Interviews**

According to Creswell, “interviews enable a researcher to be able to access various stories and narratives through which people describe their world” (Creswell, 2009:15). Thus, interviews was conducted by the researcher with five willing participants; one a returnee victim trafficked to Italy for commercial sexual purpose, whom according to her spent over two years working for her traffickers, and for other commercial sex workers resident in Nigeria. The choice of the four other participants stems from findings by the researcher that most of the prospective victims have an idea on the nature of job they are going to be doing upon being trafficked, also the first participant whom was trafficked worked as a commercial sex worker in Nigeria before she was trafficked to Italy to do same. These interviews should accord the researcher a better understanding on the rise and motivation in trafficking of Nigerian women and girls to Italy for commercial sexual exploitative purposes.

Due to the complexity of the phenomenon of trafficking, there were limitations as to the number of willing participants to this study. The choice of the single returnee victim is as a result of her personal experience as a victim from Italy. And four other commercial sex workers interviewed, stems from the notion that they would earn more income doing same job abroad than in Nigeria, which might tend to increase their vulnerability to traffickers, who promise them such better income.

It is worthy to note that all five participants to this study had to be convinced and their anonymity guaranteed, as not anyone would speak about human trafficking in Edo state, due to its complexity, presence of magical religious element, high illiteracy level, shame and reasons best known to unwilling participants, as there were limitation on getting more subjects to participate in this study. Also random sampling method was

used for selection of participants, as not everyone was willing to participate in the study; these structured interviews were conducted in Nigeria in August, 2012.

According to Linton, “status is the position an individual occupies in relation to the entire society. Based on the status an individual occupies, comes rights and duties an individual performs” (Linton, 1963:113). Thus, the status assumed by the researcher here was that of a student researcher, so the respondents perceived my role was to ask questions and get some data for my thesis. Also the researcher’s nationality as a Nigerian accorded him the status of an insider where a researcher belongs to a group or subjects under study and has an advantage of gaining access to information. The researcher was able to communicate in Pidgin English with the respondents, which built a trust of sort between the researcher and his subjects.

In some instances choices were made about some aspect of the researcher’s identity to respondents. At times, the researcher chooses the identity of a student from university of Benin since it was the nearest university which respondents are familiar with. And at other times the researcher introduced himself as a student of Zirve University. Some aspects of the researcher identity were not revealed because if respondents realized that he was a student from abroad, they might demand some form of financial compensation or benefits, before obliging to participate in the study.

Also due to the nature of the jobs of the respondents visual or audio recording of interviews and focused group discussion could not be made, in view of that other visual elicitation in form of documentary related to human trafficking would be considered to cover these limitations.

#### **2.4. Visual and Photo Elicitation**

According to Denzin, “visual elicitation is a qualitative method where photos or videos are made of respondents and showed or displayed afterwards to offer explanation for the situation” (Denzin and Lincoln, 2003:188). Thus, due to the nature of the job of the respondents to this study, which is commercial sex hawking, it’s almost impossible for the researcher to get visual data of them, as it may be inappropriate for the respondents.

In view of that, the researcher was able to collect three visual documentaries conducted by Aljazeera cable news network, coined People and Power; the Nigerian connection. This documentary seeks to explain how human trafficking for sexual exploitation works in the Nigerian context, from recruitment process, transportation and eventually exploitation in destination country, which is Italy.

The first part of this documentary gave an insight to the historical and current trends of human trafficking in Nigeria, means used by traffickers to identify vulnerable people, recruit them, the use of coercion and threat to force compliance by traffickers, role played by organized trafficking ring in Nigeria in trafficking women and girls from Nigeria to Italy for commercial sexual purposes, and it also narrates the ordeal of returnee victims from Italy in the hands of their traffickers.

The second part of the documentary, seeks to understand the daily lives of exploitation lived by victims in their destination country, which is Italy, their inability to speak to appropriate authorities about such, due to fear of physical violence and even threat to life of their family members back I Nigeria.

The last documentary coined Sex Trade; how it works, gave insights to how human trafficking for sexual purposes works from a global perspective as it analyzed various sending and receiving countries. It also considers the actors and their victims, challenges faced by victims in their destination country which could include but not limited to health, exposure to sexually transmitted ailments, violation of human rights and exploitation.

It also seeks to analyze the trends of trafficking in various European countries, in which Italy a major destination country for Nigerian women trafficked for sexual purposes was analyzed. These visual documentaries should be of benefit to this thesis as they serve is an alternative in absence of any visual interview from respondents. And they also relate with the researchers intention also to understanding the drive behind increase in trafficking for sexual purposes and the motivation behind such. In the course of this thesis these documentaries would be further analyzed to give a detailed understanding of the phenomenon of trafficking for commercial sexual exploitation in the Nigerian context. The links to the above mentioned documentaries could be found in the footnote below<sup>3</sup> and also in the reference list.

## **2.5. Case Study**

According to Baxter “...case study is an approach to research that facilitates exploration of a phenomenon within its context using variety of data sources. This ensures that the issue is not explored through one lens, but rather a variety of lenses, which allows for multiple facets of a phenomenon to be revealed and understood” (Baxter and Jack, 2008:18). “A case study is also an essential building block of empirical research” (Pierce, 2008:45). It investigates a contemporary phenomenon within its real life context (Yin, 1995).

Thus, a case study would accord the researcher to study the people whom are directly or might be affected by trafficking for sexual purposes. It should also give room for analysis of the subject in regards to their response to the structured interviews earlier

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<sup>3</sup><http://youtu.be/tMef3Xt0IHk>

<http://youtu.be/xw-aaFPLodw>

<http://youtu.be/CIOpws3XgwY>



discussed. Since the case study of this thesis is Nigeria to Italy, a case study has been carried out in Nigeria and one was also intended to be carried out in Turin Italy, as there is said to be a high presence of Nigerian commercial sex workers many of whom are thought to be victims of human trafficking, but due to geographical limitation, literatures and other secondary data would be considered as it seems a daunting task to conduct a case study in Italy.

Though case study have being criticized for its generalizability but according to Pierce, “despite the criticism of case study of its generalizability, a case study tends to provide inductive lenses with which to see the world through the subject’s eye” (Pierce, 2008:45). Thus, this case study should accord the researcher lenses of a sort to see through the victims eyes, through in-depth interviewing and focused group discussions. Also for the purpose of this thesis secondary data would be considered in an attempt to better understand the phenomenon of human trafficking for commercial sexual purposes.

## **2.6. Ethical Issues in Research**

According to Silverman “researchers need to obtain informed consent of the respondents under study” (Silverman, 2005:258). This can be addressed by giving information about the research, which would enable prospective respondents decide whether to participate in the study or not. The ethical issues here were addressed as respondents were informed about the nature of the study, its purpose and their consent obtained before the commencement of any interview or group discussion.

## **2.7 Limitations**

One of the major limitations to these thesis it the inability of the researcher to carry out a case study in Italy due to geographical reason, this could have given a more detailed analysis of the sex trafficking of Nigerian women to Italy as it would accord the research the opportunity to interview these victims. In view of that literatures were considered instead. Second limitation also could be seen in cases where the researcher had to hide some aspects of his identity to his correspondents.

Also, the inability to obtain a visual document of his respondents due to the nature of their job could be seen as a limitation, but was addressed by the use of other visual documentaries related to this thesis. Also due to limited data on the choosen topic particularly in respect to the Nigerian case, references are centred around just major research conducted previously on the subject matter, thus there is need for further extensive research on this case.

## **2.8. Discussion**

The use of qualitative method of analysis accorded the researcher to get close to his respondents, observe and analyze their behaviors. It is also, to understand their background as a motivation behind the prospective victims' willingness to be trafficked for commercial sexual purposes. As a result, a common variable – poverty – was identified as a major push factor, as all subjects to the case study came from less fortunate homes. Thus, the use of this method should be beneficial to this thesis, as there are no generally acceptable official data as regards trafficking in Nigerian women and girls abroad for commercial sexual purposes, which could be a limitation to this thesis.

## **CHAPTER THREE**

### **LEGAL FRAMEWORK**

#### **3.1. Legal Frame Work as regards Human Trafficking in Nigeria**

This chapter seeks to review the legislations, laws and policies as regards human trafficking, focusing but not limited to trafficking for commercial sexual purposes. According to Mantua “the phenomenon of human trafficking, particularly in west Africa, has in recent years assumed alarming proportions and hence receives unprecedented global attention. Although there is lack of accurate data, it is reported that in west and central Africa about 200,000 children are trafficked annually, while in west Africa alone, an estimated 35,000 women and children are trafficked every year for commercial sexual exploitation” (in Olateru and Ikpeme, 2006:10).

Also according to trafficking in persons report, “...within Africa, Nigeria is the largest single source of trafficked women to Europe and Middle East. A recent survey reveals that Nigeria is responsible for more cases of trafficking of women into Europe for forced prostitution than any other African country; Italian authorities estimate that 10,000 Nigerian prostitutes work in Italy many of whom are victims of trafficking” (in Olateru and Ikpeme, 2006:10).

As discussed in previous chapters, poverty illiteracy, gender imbalance, ill-informed migration and desperation to acquire material wealth have being identified as some of the variables responsible for high rate of trafficking in Nigerian women and girls abroad for commercial sexual exploitation. Thus, it can be argued that desperate search for a better standard of living, gender imbalance and discrimination, high level of illiteracy and also inadequate implementation of laws and policies against human trafficking are some of the internal factors fuelling the increase in trafficking activities, in this context trafficking for commercial sexual exploitation.

In view of that, this chapter will seek to analyze domestic, regional, international legal framework and bilateral agreements signed by Nigeria as regards human trafficking. Nigeria as a member of Economic community of West African States has entered into many international instruments geared towards fighting the menace of human trafficking, which stipulates the rise in human trafficking activities in Nigeria. In addition Nigeria has also entered into various bilateral agreements and memoranda of understanding within and outside Africa in an effort to also combat human trafficking. Furthermore the trans-border nature of human trafficking has made detection difficult thus calling for an integrated approach that involves not only national legislations but also trans-border agreements.

### **3.2. International Instruments on Human Trafficking and Forced Labor**

These are instruments go beyond national legislation, as they involve bilateral agreements between states faced with trafficking problems, such as Nigeria. According to Olateru and Ikpeme:

With the increase in human trafficking globally and with the attendant hydra-headed problems, there was heightened international concern about the adverse effects

of trafficking on the efforts of the United Nations and regional intergovernmental organizations to promote human rights and human security in the world. Consequently, the need to ensure that the issue was addressed from a human rights perspective informed the adoption of various conventions and guidelines for the protection of trafficked victims. Nigeria has signed and ratified many of these international instruments and, in order to make them nationally applicable under the Nigerian constitution has passed special laws to domesticate them (Olateru and Ikpeme, 2006:20).

Thus, it can be argued that signing and domestication of the laws by Nigeria show evident of high level in human trafficking activities and also a political and legislative will in the fight against human trafficking on the side of the Nigerian government, which should be applauded as a step taken in the right direction. The most pronounced of these conventions signed is the Palermo Protocol, which was enacted in year 2000.

### **3.2.1. The Palermo Protocol**

Heads of state from various countries converged in Palermo Italy to sign the Palermo Protocol against human trafficking, giving specific reference on trafficking in women and children in 2000. "...a major step that was taken by the comity of nations under the auspices of the United Nations to address the issue of human trafficking is the adoption of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the conventions against transnational organized crime signed in Palermo, Italy in 2000" (Olateru and Ikpeme, 2006:20). The ramification of this protocol by the United Nation spells that human trafficking, especially in women and children for commercial sexual or labour exploitation is indeed an issue of global contention in today's world.

The domestication of this protocol by the Nigerian government shows political will and commitment towards the fight in trafficking of women and children. "The

Nigerian government further domesticated this protocol by an act of national assembly signed into law in 2003 known as the Protocol to Prevent, Suppress, and Punish Trafficking in Persons especially Women and Children “(Olateru and Ikpeme, 2006:20). Article 3(a) of the Palermo protocol defines trafficking as;

The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception of abuse of power or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include at a minimum, the exploitation of the position of others or other forms of sexual exploitation, forced labor services, slavery or practices similar to slavery, servitude or the removal of organs (UN, 2001:2).

“The protocol does not stand alone, but must be read and applied together with the parent convention. The purposes of the protocol as set out in article 2 of the Palermo protocol are;

- To prevent and combat trafficking paying attention to women and children
- To protect and assist victims of trafficking with full respect for their human rights, and
- To promote international cooperation in order to meet the above objectives.” (Olateru & Ikpeme, 2006:20).

Therefore, it can be said that the protocol pays specific attention to combating trafficking in women and children for exploitative purposes, which shall include sexual exploitation at a minimum, protection of victims, and cooperation among member states that ratified and domesticated this protocol in the war against trafficking. According to Olateru “...Nigeria is one of the first countries in the sub-Saharan Africa to ratify and domesticate the Palermo protocol” (Olateru and Ikpeme, 2006:20). This shows that

human trafficking is an issue of growing concern in Nigeria, and also a political and legislative will to combat human trafficking.

According to Olateru and Ikpeme: “The Palermo protocol extensively targets the relationship between states parties, in dealing with cases of human trafficking while the national laws target the country adopting the law. Furthermore, the Palermo protocol focuses on law enforcement that assumes the commission of crimes by crime syndicates” (Olateru and Ikpeme, 2006:20). However, in the Nigerian human trafficking settings, trafficking might not necessarily be carried out by crime syndicates, trafficking offences could be committed by close relatives or people familiar with the victims, who might not necessarily be associated with any crime syndicate as mentioned in the Palermo protocol.

Thus, the domestication of the protocol might create difficulties in implementation, as the protocol states crime syndicates as perpetrators while crime syndicate might not necessarily carry out trafficking offences in Nigeria alone (Olateru and Ikpeme, 2006). This is not to say crime syndicate might not be involved in trafficking activities in Nigeria, but trafficking might also be facilitated by people other than crime syndicates as stated in the Palermo protocol.

However, the ratification and domestication of this protocol by the Nigerian government should equip the national laws and other domestic legal frame work in the fight against human trafficking, as the protocol states for cooperation among member states due to the trans-border nature of human trafficking. Also it is worthy to note that national laws as regards trafficking covers mainly trafficking for sexual exploitation, thus the domestication of the protocol should address other aspect of human trafficking such as, child labor, servitude, and removal of organs, which is not covered by the national legislation on trafficking.

### **3.2.2 ILO Convention**

The International Labor Organization (ILO) is a specialized UN agency committed to the promotion of social justice and labor rights, has adopted several conventions related to elimination of human trafficking and its forced labor outcomes (Olateru and Ikpeme, 2006:21). Thus, the ILO can be said to deal with labor related rights, human trafficking and other human rights vices.

Adopted as early as 1930 and ratified by more than 90% of member states, the ILO convention on forced labor, 1930 (No. 29) defines forced labor and commits member states to eradicate forced labor and prevent its occurrence (Olateru and Ikpeme, 2006). Nigerian being a member state, is obliged to prevent forced labor, which can be related to trafficking for commercial sexual exploitation, as victims may be forced or coerced to perform sexual acts unwillingly, this goes against the norms of the ILO convention and hence should be prevented and in case of occurrence, perpetrators should be penalized in accordance to the law.

Following the increasing demand for cheap labor in advanced countries and subsequent vulnerability of migrants from developing countries, to meet the demand for cheap labor, mainly in search for a better standard of living abroad, the ILO adopted the supplementary migrant workers convention which states that:

The ILO adopted the migrant workers (supplementary provisions) convention, 1975 (No. 143). It is the first ILO convention with specific provisions on trafficking, committing ratifying member states to prosecute the ‘authors of manpower trafficking... whatever the country which they exercise their activities’ and to systematically seek to determine whether they are illegally employed migrant workers on its territory and whether they depart from, pass through or arrive in its territory any movement of migrants for employment in which the migrants are subjected during their journey, on arrival or during their period of residence and employment to conditions contravening relevant international multilateral or bilateral instruments or agreements (in Olateru and Ikpeme, 2006:22).



Subsequently, it is rather unfortunate, as Nigeria is not a ratified member to this convention, which makes it impossible to be applicable under the Nigerian national laws and prosecution of offender of these labor laws which can be related to human trafficking is not obtainable in the Nigerian court of law. In addition, since gendered based employment is considered a determining factor of trafficking for commercial sexual purposes, also concurred by Olateru, “gender marginalization is also a fuelling factor of human trafficking” (Olateru, 2005:5). Also, “the basis for effective prevention is elaborated in the ILO’s convention on equal remuneration, 1951 (No. 100) that promotes the principle of equal remuneration for men and women workers, and non-discrimination in employment and occupation (in Olateru and Ikpeme, 2006:22). Thus, this convention seeks to address the issue of equal employment opportunities for men and women, as employment also has being identified as a cause of poverty, of which poverty has being variously linked to human trafficking for sexual commercial exploitation. Thus, it can be argued that this convention is aimed at curbing trafficking menace in women as it clamors for equal employment opportunities.

Subsequently, it is rather unfortunate as Nigeria is yet to ratify this convention, which can be seen as a set back of the country wars against trafficking, as figures show that men fare better than women in terms of active participation in both the formal and informal labor sector in Nigeria, which has being discussed in the previous chapters of this thesis.

### **3.2.3. Convention against Elimination of Discrimination against Women (CEDWA)**

This is not specifically a convention against human trafficking, but it is important to this thesis as its clamors for discrimination against women, which could be in terms of employment, resource allocation, and active participation in politic amongst others. This

could be linked to human trafficking for commercial sexual exploitation, as the inability of women to gain a gainful employment could be bring in the notion of migrating elsewhere in search of a better standard of living, this in turn might increase their vulnerability to traffickers who promise them such. Although, this convention is also yet to be ratified by the Nigerian government, which could also be a setback in the fight against human trafficking for commercial sexual exploitation and also reaffirmation of the secondary status accorded females in Nigeria. While trafficking is never solely about women, it is important that this convention be ratified as majority of the victims are women also as concurred by the ILO, "...trafficking for sexual purposes constitute 79% of all cases recorded globally, while the other 21% are thought to be for forced labor and other forms of exploitation" (ILO, 2010:3).

This convention defines discrimination as "...any distinction or exclusion or restriction made on the basis of sex which affects the effect or purpose of nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedom in politics, economics, social, cultural, civil or any other field" (in UNODC, 2008:45).

Thus, discrimination against women in spheres of employment and resource allocation and control, female child education could be seen as some factors that determine trafficking for commercial sexual exploitation, the ratification of this convention by the Nigerian state could alleviate the status accorded the female gender in Nigeria, which could in turn limit their vulnerability, as its states females be accorded same opportunities as males.

### **3.2.4. OHCHR Recommendations Principles and Guidelines on Human Rights and Human Trafficking**

These are recommendations, principles and guidelines on human trafficking from the Office of the High Commissioner on Human Rights, there are not conventions or legislation, but they are geared also towards the fight against human trafficking. In Olateru and Ikpeme, “the recommendations principles and guidelines on human rights and human trafficking, presented by the High Commissioner in 2002, were developed to provide practical, right based policy guidance on the prevention of trafficking and protection of victims of trafficking, their purpose is to promote and facilitate the integration of human rights perspective into national, regional and international anti-trafficking laws, policies and interventions” (Olateru and Ikpeme, 2006:23).

Thus, it can be said that this principles and guidelines, clamors for human right perspective to be integrated into not just national laws on trafficking but also regional and international intervention programs on human trafficking as well as victim’s protection. The adoption of this policy, means that human trafficking activities would be treated as human right violation cases, which is punishable under any national law, this is a step to be applauded in the right course on the war against human trafficking and these principles should be integrated into Nigerian national laws as a bold step in the fight against trafficking in humans, regardless the purpose they are trafficked for.

Also as acknowledged by Olateru and Ikpeme:

These principles and guidelines essentially address the prevention of human trafficking, the protection and assistance of trafficked persons including compensation and reparation and prosecution of traffickers. They prohibit the treatment of trafficked persons as accused persons or perpetrators of offence. Unfortunately, internationally trafficked person are often treated as accused persons because of their undocumented status (Olateru and Ikpeme, 2006:23).

Thus, detention of trafficked persons, prior to deportation back to country of origin, or inhumane treatment in hands of authorities as seen in cases where victims are treated wrongly or recognized as offenders due to their undocumented status or

possession of invalid or expired resident documents in destination country is considered wrong in reference to this principle.

According to Olateru and Ikpeme, “Nigerians trafficked to Europe experience inhuman treatment in the hands of authorities before deportation. Most of them are arrested on the streets, treated as illegal migrants, detained, criminalized and eventually deported forcefully to Nigeria” (Olateru and Ikpeme, 2006:23). This practice goes against the standards of the principles and guidelines of the office of the High Commissioner, as victims should be assisted and integrated into the society, to enable them lead a normal life, instead of being criminalized or penalized before and upon deportation.

Nigeria also has failed to fulfill its obligations to returnee or deported victims in terms of assistance in areas of provisions of shelter and counseling that could help victims reintegrate into the society and lead normal lives, this situation is also acknowledged by Olateru and Ikpeme, “this lack of shelter or reception area was manifested in 2003 when over 100 trafficked children from neighboring Benin Republic found in illegal stone quarries in Ogun state of Nigeria had to be in the custody of the police without any official allocation for their upkeep” (Olateru and Ikpeme, 2006:23). The above statement shows lack of political will on the side of the Nigerian government to help reintegrate and assist victims of human trafficking and also a negation to the High Commissioner’s recommendations as regards protection of victims and upholding of their human rights. Also:

Critical area in which human rights principles recommended by the Office of the High commissioner for human rights is the difficulty in both source and receiving countries or communities to investigate, successfully prosecute and punish offender for human trafficking. Despite efforts being made by NAPTIP in prosecution, very few convictions have been obtained and traffickers continue to operate with impunity (Olateru and Ikpeme, 2006:24).

The inability of the legal arm of the government to successfully identify, convict and prosecute traffickers can be argued to be a set back against the fight on human trafficking. As little or few convictions means that trafficker continue to operate with impunity and their victims continue to be exploited for optimum economic benefits, in this case exploitation for commercial sexual purposes.

### **3.2.5. ECOWAS and Free Circulations of Persons**

The growth and expansion in trade, economic relations and integration in the western African region has necessitated the establishment of Economic Community of West African States ECOWAS and subsequent protocol relating to free movement of person within the region that came with the abolishment of visa as a requirement for entry into the states by citizens of the western African region.

The protocol states

For free movement provides among other things for the following rights to be enjoyed by all citizens of West African states: the right of entry and consequently the abolition of visas; right of residency and right of establishment which includes right to employment. These rights are however conditional on migrants acquisition of a valid passport or identification certificate or travel documents, the possession of a valid international health certificate and the official record of the migrants entry (Olateru and Ikpeme, 2006:24).

Also “ it is significant to note that in case of repatriation of a citizen of a member state the protocol provides that the security of such a person and his/her family will be guaranteed by the host country and the persons property will be protected and returned to him/her on departure (Olateru and Ikpeme, 2006:24). This provision is similar to that of the High Commissioner on human right as regards the protection of migrants and upholding of their human rights.

However, this protocol is aimed at providing free movement in reference to trade expansion in the region, its unintended negative effect have being abused by traffickers to move their victims within the western African region with ease in reference to the protocol, which stipulates free movement of human capital. Though this protocol is aimed at fostering economic integration and trade relations, it has made trafficking activities difficult to detect, as there in no visa required to move from one state of the region to another, this situation is exploited by traffickers.

Thus, the protocol need to be better addressed to harness issues of human trafficking, also border patrol teams, customs and immigration officer in the region should be adequately trained and equipped with skills, as regards the fight on human trafficking detection and prevention. In essence, there should also be a better record keeping of migrant's entry and purpose of entry, so the protocol can fully achieve its objective, which is economic integration and not a window for traffickers to easily move their victims across the region without detection.

### **3.3. Bilateral Agreement to Combat Human Trafficking**

With the alarming rate at which trafficking activities prevail in Nigeria, there was need for bilateral agreements between Nigeria as a sending country and Italy as a destination country to sign bilateral agreement in an attempt to harness trafficking, specifically trafficking in Nigerian women and girls to Italy for commercial sexual exploitative purposes.

#### **3.3.1. Agreement between Nigerian and Italy**

This agreement was informed by the alarming rate at which Nigerian are trafficked to Italy for sexual purposes with figures put around 10, 000 of whom many are thought to be victims of human trafficking, “the agreement between Nigeria and Italy was signed on 12<sup>th</sup> September 2000 and it compels Italy to render technical assistance to Nigerians on immigration and both countries are also enjoined to control the spread of HIV/AIDS and STDs” (Olateru and Ikpeme, 2006:58).

Nigerian particularly trafficked person should also benefit from Article 18 of the Italian legislative decree No. 286 Articles which states, “provisions of protection for victims of human trafficking that denounce their traffickers or are prepared to provide information that will lead to the prosecution of the traffickers” (in Olateru and Ikpeme, 2006:58). Thus, the legislation have provided an avenue of sort for victims willing to disclose identities of their traffickers in exchange for protection from the Italian authorities, but the case is not so as victims are afraid of reprisal attacks by their traffickers or reparations of the magical religious elements embedded in the Nigerian trafficking setting. As also concurred by Olateru and Ikpeme, “many of the Nigerian victims have not being able to access these benefits because of the fear of reprisal that prevents them from divulging the identity of the traffickers and details of the trafficking transactions. This situation is compounded by the traditional oaths these victims have been subjected to where they deposit personal objects in shrine to enter into oath of secrecy” (Olateru and Ikpeme, 2006:58).

Thus, the presence of traditional oath taking makes the Nigerian context of human trafficking a peculiar one, and the inability of the victims to avail themselves to appropriate authorities for assistance, can be seen major setbacks on the fight against human trafficking for commercial sexual exploitation. Also this bilateral agreement between Nigeria and Italy goes to show the magnitude of the crime of trafficking of Nigerian girls to Italy for sexual purposes, and a step in the right direction to be applauded.

### **3.4. Nigerian Legislation and Policy Review as regards Human Trafficking**

Trafficking in humans is a global phenomenon driven by the desire to amass material wealth by traffickers, and the desire to obtain a better standard of living abroad by prospective victims. Thus, it will be of great importance to this thesis to consider aspects of the constitution of the Federal Republic of Nigeria that prohibits trafficking in persons for any purpose. The constitution stipulates that;

- Every individual is entitled to respect for dignity of the person and accordingly
- No person shall be subjected to torture or inhuman or degrading treatment
- No person shall be held in slavery or servitude; and
- No person shall be required to perform forced or compulsory labor (In Olateru and Ikpeme, 2006:26).

“These rights are fundamental rights that are enforceable in the Nigerian courts. Section 46 of the constitution provides that any violation of its fundamental human rights provision is remediable by the high court in the state where the violations occur” (In Olateru and Ikpeme, 2006:26). Thus, human trafficking which is a form of modern day slavery, which could involve forced or compulsory labor in exploitative conditions for economic benefits of the traffickers could be seen as a violation of the section 34 of the Nigerian constitution as stated above, which clearly makes human trafficking illegal in reference to the constitution of the Federal Republic of Nigeria.

In addition to that Nigeria has signed and ratified various, treaties, conventions and bilateral agreements, which includes but not limited to the following treaties that



also clamor for the protection of the victims of human trafficking regardless. These treaties are:

- United Nations Slavery Convention 1927
- Convention for suppression of trafficking in persons and the exploitation of the prostitution of others act 1949
- ILO forced labor Convention 1930
- ILO abolition of forced labor convention 1957
- ILO worst forms of child labor convention, 1999

(In Olateru and Ikpeme, 2006:26).

Although these conventions seek to address human trafficking issues, however they do not contain any definition whatsoever of human trafficking, but they address prostitution and movement of persons across national borders, which can be related with trafficking for commercial sexual purposes. It is worthy to note that for these conventions to be enforceable there is need for domestication of the convention into Nigerian national laws. According also to Olateru and Ikpeme, “Nigeria has ratified a good number of these conventions, but section 12 of the constitution of the Federal Republic of Nigeria 1999 stipulates that all treaties ratified by Nigeria have to be passed into law by the national assembly before they can have force of law in Nigeria. This is called ‘domestication of treaties. The international instruments that are yet to be domesticated therefore do not have the force of law in Nigeria” (Olateru and Ikpeme, 2006:27).

Thus, the ratification of these treaties by the Nigerian states show a political will in the fight against human trafficking, but the subsequent non-domestication of the law by the national assembly as stated in section 12 of the constitution of Federal Republic of Nigeria, could be a setback on the fight against human trafficking, as they are not enforceable in the court of law. Also domestication of these laws would have further

strengthened Nigerian national laws as regards human trafficking for commercial sexual purposes. In essence these treaties may be regarded insignificant In the Nigerian context.

### **3.4.1. The Criminal Code**

In the Nigerian legal framework there is the criminal code which is applicable to the southern part and penal code which is applicable in the north of Nigeria. Before specific anti-human trafficking legislations were defined in the constitution of the Federal Republic of Nigeria, legislation that covers aspects relation to trafficking could be found in both the criminal and penal code respectively.

In Olateru and Ikpeme, “the criminal code, promulgated on June 1, 1961 does not define what constitutes trafficking nor does it deal with various forms of trafficking. However, it deals with the offences, which may constitute external forms of trafficking for prostitution or slavery. For example the criminal code makes it an offence to procure women and girls for prostitution in or outside Nigeria” (Olateru and Ikpeme, 2006:27). Section 223 sub-section 2 of the criminal code stipulates that:

- Procures a woman or girl to become a common prostitute either in Nigeria or elsewhere, or
- Procures a girl or woman to leave Nigeria with the intent that she may become an inmate of a brothel elsewhere, or
- Procures a woman or girl to leave her usual place of abode in Nigeria, with the intent that she may for the purpose of prostitution become an inmate of a brothel either in Nigeria or elsewhere,

Is guilty of misdemeanor and is liable to imprisonment for 2 years (Olateru and Ikpeme, 2006:28).

It is worthy to note that Edo state of Nigeria, from where human trafficking trends for commercial sexual purposes is thought to originate is located in the southern

part of Nigeria where the criminal code applies and address issues relating to trafficking for commercial sexual exploitation, as stated above. This shows the level at which trafficking for commercial sexual exploitation prevails in Nigeria, as these laws for enacted decades before the specific anti-trafficking laws that were enacted in 2003. Human trafficking can be considered a form of modern day slavery, as it involves buying and selling in humans. Also the criminal code "...prohibits slave dealing, and section 369 punishes slave dealing with imprisonment for 14 years upon conviction of any offender. This section defines the offences to include:

- 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
- Placing or receiving any person in servitude as a pledge or security for a future debt or
- Conveying , sending or receiving any person to go outside Nigeria to enable the person to be possessed, dealt or traded in, purchased as a slave or be placed in servitude as a pledge or security for debt or
- Entering into any contact or agreement with or without consideration for doing any of the acts or accomplishing any of the purposes listed" (in Olateru and Ikpeme, 2006:28).

Also, section 224 of the criminal code states that, "...also punishes any person who by threat, intimidation or false pretense procures a woman or girl or administer stupefying or overpowering drugs on her to facilitate unlawful sexual relations with a man either within or outside Nigeria with imprisonment for 2 years, and section 225 (a) makes it an offence for a male person to live on the earnings of a prostitute and prescribes the punishment of 2 years imprisonment at first instance and for subsequent conviction 'any term of imprisonment' in addition to whipping" (in Olateru and Ikpeme, 2006:28).

Thus, it can be argued that traffickers for commercial sexual exploitation, if convicted are liable to 2 years imprisonment in reference to section 225 (a) of the criminal code, and for subsequent offenders any term of imprisonment. Though, it's a

step in the direction on the fight against human trafficking for commercial sexual exploitation, the penalty seems light if equated with the exploitations and human violations that come with trafficking. Also concurred by Olateru and Ikpeme, “... paradoxically the offences are regarded as misdemeanors, and penalties ranges from fines and imprisonment of between 2-7 years that are not sufficient to serve as deterrents for trafficker” (Olateru and Ikpeme, 2006:29).

In essence, trafficking for commercial sexual exploitation would continue to thrive until sections in the criminal code that constitutes act or related act as trafficking for sexual exploitation are amended to more severe jail terms, as that may deter traffickers.

### **3.4.2. The Penal Code**

The penal code specifically recognizes trafficking in women for commercial sexual exploitation. “...in general, there are stronger provision against human trafficking related offences in the penal code than the criminal code, and while the criminal code treats some of these offences as mere misdemeanors, the penal code categorizes them as felonies and provide stricter punishments” (Olateru and Ikpeme, 2006:29). Also “under the penal code section 276 a maximum penalty of 10 years in prison and a fine exist for anyone convicted of encouraging the prostitution of women and children, and it is an offence to import into the northern Nigeria a girl under the age of 21 for prostitution” (Olateru and Ikpeme, 2006:29).

Clearly internal prostitution in the northern part of Nigeria spells stiffer punishment than even external prostitution in the criminal code. This can be argued to be one of the reasons for fewer cases of trafficking for commercial sexual activities in the northern part as compared to the south where, trafficking for commercial sexual

exploitation is thought to prevail and also where the criminal code is enforceable in the court of law. Also section 275 of the penal code stipulates “whoever by any means whatsoever induces any girl under the age of 18 years to go from any place or to do any act with intent that such girl may be or knowing that it is likely that she will be forced or seduced to illicit intercourse with another person shall be punished with imprisonment which may extend to 10 years and shall also be liable to fine” (Olateru and Ikpeme, 2006:29). Thus both sections above provides maximum penalties for trafficking for commercial sexual exploitation offences or related offences, but have no minimum penalties, which can be seen as a setback as decision of prison time might be at instance or will of the judge.

In addition, since both the north and south are within the boundaries of Nigeria, there is need for harmonization of both codes, in order to have a uniform legislation as regards human trafficking, as same offences in different region in same country, stipulates varying penalties. This can be seen as a setback back on the side of the legislative on its fight against human trafficking, and also can be considered as one of the reasons trafficking for commercial sexual exploitation prevails more in the south than the north.

### **3.5. Edo State Laws on Human Trafficking**

It will be of immense importance to consider the Edo state anti-trafficking laws. These laws are applicable in only Edo state, this goes to show the level at which human trafficking for commercial sexual exploitation prevails in Edo state of Nigeria. The peculiarity of this law can be found in its, “the law extends the reach of law to criminalize accomplices such as family members, religious leaders and anyone who facilitates the trafficking of women and children, it unfortunately criminalizes

prostitution as well, making trafficked victims for prostitution also subject to being penalized” (Olateru and Ikpeme, 2006:30). Thus, this law complements the Palermo protocol that does not include family members and other facilitators but only mentioned of crime syndicates as perpetrators of human trafficking, however the criminalizing of prostitution, which subsequently means victims of human trafficking for prostitution be penalized, may however be amended as the victims are exploited as a result of their vulnerability and most probably desire to attain a better standard of living abroad.

As amended, according to section 222 sub-section (a), “extended the ambit of the offence of causing or encouraging the seduction or prostitution of a girl to cover every female person in place of only girls under age of 13 years and increased the sentence from 2 to 7 years imprisonment or to a fine of \$385” (Olateru and Ikpeme, 2006:31). Also section 223 states, “...treats the procurement of a woman or girl for prostitution as a felony as against the initial categorization as a misdemeanor and increased the punishment from 2 years to 14 years imprisonment” (Olateru and Ikpeme, 2006:31). This amended of Edo state law in reference to the criminal code which was applicable in the southern part of Nigeria, and increased penalties and inclusion of fine for convicted offenders, goes to show that trafficking for commercial sexual exploitation is an issue of contention in Edo state, and also a political will on the side of the Edo state government and legislative to combat the phenomenon.

Section 223 (a) is a new law, which states:

It is an offence to sponsor a girl or woman by giving her any financial, physical or material assistance to enable her travel out of Nigeria for the purpose of becoming a prostitute or to carry out any immoral act. It is also an offence punishable by imprisonment for 10 years or a fine of \$3,846 or both, to administer any oath on a woman or girl or perform any fetish ritual in order to enable her travel out of Nigeria for the purpose of becoming a prostitute or to have unlawful carnal knowledge with any person (Olateru and Ikpeme, 2006:31).

This law does not specifically defines trafficking and stipulates penalties, it seeks to sentence convicted accomplices to human trafficking for commercial sexual purposes, also it covers the oath and religious aspect of human trafficking as a means of forcing victims compliance in the Nigerian trafficking setting. Thus, this new section should be applauded as a step in direction, but the subsequent inclusion of option of fine means convicted trafficker given fine options by judges could easily pay off the fines and continue in their illicit trafficking activities, this can be argued to be a setback on the fight against human trafficking for commercial sexual exploitation. In essence, the inclusion of fine options and lack of specific laws to address other aspects of trafficking such as; trafficking for child labor, trafficking in men for slavery or slave like purposes, trafficking for servitude, can be considered in separate laws to address these other forms of human trafficking. These could be seen as limitations in the fight against human trafficking as a whole.

### **3.6. Trafficking in Persons Prohibition Law and Administration Act, 2003**

This law enacted in 2003, can be considered as the first full pledge registration that seeks to address and punish the phenomenon of human trafficking in Nigeria. “on July 14, 2003, the federal government of Nigeria promulgated a specific law against human trafficking titled the trafficking in persons prohibition law and enforcement act, 2003 (hereinafter referred to as NAPTIP Act) and set up a special agency National Agency for the Prohibition of Trafficking in Persons to oversee matters relating to human trafficking and related matters in 2004” (Olateru and Ikpeme, 2006:32).

Also according to Olateru and Ikpeme, “evidently, the Palermo protocol influenced the drafting of the NAPTIP Act and as can be seen from the section 50 that

incorporates the universally accepted definition contained in article 3 of the Palermo protocol with some slight changes: the act defines ‘trafficking’ as follows:

Trafficking includes all acts and attempted acts involved in the recruitment, transportation within or across Nigerian borders, purchase, sale, transfer, receipt or harboring of a person involving the use of deception, coercion or debt bondage for the purpose of placing or holding the person, whether for or not in involuntary servitude (domestic, sexual or reproductive), in forced or bonded labor, or in slavery like conditions (in Olateru and Ikpeme, 2006:32).

This definition however covers acts like attempted trafficking, which makes any attempt to trafficking an individual punishable upon conviction of offenders, this have covered some aspects that were not considered in the Palermo protocol. However, the NAPTIP act has failed to address other forms of human trafficking such as trafficking for removal of organs, which is covered by the Palermo protocol, this can be seen as a setback, as there is no provision to prosecute offender of this form of trafficking.

Also, “...the NAPTIP Act as a whole, one finds that the legislation is oriented more towards the prosecution of trafficking than to the prevention of trafficking and protection of trafficked victims” (Olateru and Ikpeme, 2006:33). Thus, the lapses in the NAPTIP Act as regards legal provision for other forms of trafficking aside trafficking for sexual exploitation, and also neglect to prevention of trafficking activities and lastly but not limited to victim protection, rehabilitation could be said to be a setback on the war on human trafficking in the Nigerian context. In essence, efforts made by the legal arm of Nigeria are laudable and should be applauded, but there is need for a more comprehensive legal framework that seeks to prevent trafficking, effective prosecution and conviction of trafficker, and victims protection and reintegrate into society.

### **3.6.1. Relationship between Criminal and Penal Code and NAPTIP Act, 2003**



There is need to understand the interplay between the criminal and penal code and the NAPTIP Act, as they either seek to address indirectly or directly human trafficking, servitude, slavery, forced labor, which can all be regarded as modern day slavery. In Olateru and Ikpeme, “NAPTIP Act restates some of the offences in the criminal and penal codes and prescribed stiffer penalties for them, but all three laws exist alongside and are equally applicable. This clearly creates difficulties of enforcement and loopholes for the escape of offenders with smaller penalties” (Olateru and Ikpeme, 2006:33). NAPTIP Act, seems a more comprehensive anti-trafficking legislation in Nigeria, even with its evident lapses, there is however need for harmonization of all three laws, domestication of foreign treaties signed by the Nigerian government. This would legally empower the anti-trafficking legislation in Nigeria, which may deter traffickers from carrying out their trafficking activities.

### **3.7 Discussion**

On accepting the fact that human trafficking is an issue of contention in today’s global world, there is need for a better legal approach at national, regional and international level in an attempt to effectively combat human trafficking. In respect to the Nigerian case, the passing of the NAPTIP Act in 2004, shows a legislative and political will on the side of the government as to human trafficking activities both internal and external trafficking. However, there is need for harmonization of the Nigerian legal framework as regards human trafficking and related practices, as there are different penalties for same offence in reference to the criminal and penal codes, also there are aspects of trafficking like trafficking for removal of organs as stated in the Palermo protocol, this could be a setback on the fight against human trafficking in Nigeria.

Also, the evident human trafficking legislations in Nigeria, shows the extent to which trafficking prevails in Nigeria as also concurred by Olateru & Ikpeme:

Within Africa, Nigeria is the largest single sourced of trafficked women to Europe and Middle East. A recent survey reveals that Nigeria is responsible for more causes of trafficking of women to Europe for forced prostitution than any other country; Italian authorities estimated that 10, 000 Nigerian prostitutes work in Italy, any of whom are victims of trafficking (Olateru & Ikpeme, 2006:10).

These figures show that, there is need for harmonization of anti-trafficking legislations and domestication of international treaties by the house of assembly, so as they can be enforceable in the Nigerian court of laws, the consideration of the later can be seen as a more efficient and equip legal framework, which may in turn deter traffickers from carrying out their activities.

Also, the Nigerian government should establish Public Education Centers PEC, this PEC would help train and educate the less fortunate of the society, in particular women whom cannot afford a formal education, in technical skills acquisition such as hair dressers, office secretary, chefs, child education amongst others. This PEC's if applied in Nigeria can reduce the vulnerability of women to trafficking as they have a technical education. It does not stop at establishment of PEC; the government should create employment for the technically trained work as a means to alleviate poverty, rather than women seeing trafficking for commercial sexual exploitation as a means to alleviate poverty.

## **CHAPTER FOUR**

### **NEO-LIBERAL ECONOMIC POLICIES AND GLOBALIZATION AS DETERMINANTS OF TRAFFICKING TRENDS IN NIGERIA**

#### **4.1. Neo-liberalism and Human Trafficking**

This chapter seeks to analyze the interplay between neoliberal economic structures and free movement of human capital across national borders in reference to globalization, as determinants of human trafficking trends in Nigeria in respect to the theoretical aspect of this thesis. As in recent times, the economic structure of many countries shifted towards a system of finance based on the norms of neoliberalism. The 1970s witnessed the beginning of a new world order conceptualized by leading political economies as neoliberal globalization. This has being accompanied by a profound restructuring of the world's economy under the influence of large multinational corporations, the globe's most powerful governments led by the United States, and a trait of international bodies; the International Monetary Fund, World Trade Organizations (Peters and Veltmeyer, 2000).

Neoliberalism according to Harvey can be defined as “curb of power of labor, deregulate industry, agriculture and resource extraction, and liberate of finance both internally and on the world stage” (Harvey, 2005:1). For the purpose of this thesis, neoliberalism is intended to be considered as an economic policy, and how such policies as independent variables have created vulnerability of a sort amongst women in Nigeria that may have led to increase in sex trafficking activities.

From the above understanding of neoliberalism, it can be said to be both an economic theory and a policy stance. As neoliberalism as a theory claims that a largely uncontrolled capitalist structure or free market economy, does not only entrenches the ideal of free individual choice but also brings about maximized economic performance as regards efficiency, stable economic growth but also technical and technological progress in a globalized world. In a neoliberal system the state is assigned a limited role and control over property and infrastructural rights, enforcing contracts and regulating the monetary supply, as neoliberalism views state intervention to correct market failures with suspicion of incapability, on the ground that such intervention is likely to create more problems than it solves.

The general philosophy of neoliberalism as an economic approach is that poverty of an individual or country is strictly related to their choices, but not to any sort of inescapable structural reasons or policy. In other words, individuals and countries could overcome poverty if only they pursue accurate macro-economic strategies, which is neoliberal.

Also one of the main characteristics of neoliberalism that may have played a role in determining trends in trafficking for commercial sexual purpose in Nigeria is the *privatization* of public owned institutions such as hospitals, schools, water and gas companies amongst others to private owned entities, in this creates a series of reactions, as people can no longer afford such basic amenities. For example, an uneducated person, socio-economically disadvantaged, who might have seen a better standard of living as displayed on the internet or television, might develop the notion to migrate abroad in search of this better standard of living. This notion tends to increase the vulnerability of prospective victims as traffickers promise mainly better employment or a better standard of living. As concurred by Odigie and Patience, "...trafficking is a global demand driven business with a huge market for cheap labor and commercial sex. It involves exploiting vulnerable people like needy women, children and young men with offers of

employment and better life abroad” (Odigie and Patience, 2008:65). This process of exploitation and trafficking for sexual or forced labor purposes is punishable under the constitution of Nigeria amongst other international treaties, as section 2 (a) of the penal code clearly prohibits the deceit or coercion of any persons into any form of trafficking, which may include but not limited to sex trafficking.

Another profound effect of neoliberal policy on trafficking in Nigeria is the adoption of the Structural Adjustment Program packaged by the International Monetary Fund in the 1980’s for the developing countries. This policy lead to retrench of workers of which women where most affected due to their literacy level, removal of government subsidies on education which is the most prominent as education has also being identified as a causative variable for trafficking in women for sexual exploitation. This policy of neoliberalism has forced the less fortunate women whom are already in impoverished to seek alternative means of livelihood abroad in the absence of strong educational qualifications needed to compete in a global world, commercial sex is seen as an alternative to alleviate poverty.

Also according to Kotz:

policy recommendations of neoliberalism are concerned mainly with dismantling what remains of the Regulationist state welfare. These recommendations include deregulation of business, privatization of public activities and assets, elimination of, or cutbacks in, social welfare programs, and reduction of taxes on businesses and the investing class (Kotz, 2000:1).

Though is it important to note that a fundamental aspect of neoliberalism lies in reconstruction of an individual which is competitive, possessive and construed often in terms of the doctrine of consumer sovereignty (Peter’s, 1999). Also Harvey describes two different kinds of individual freedom that result from neoliberalism as “one good and one bad” (Harvey, 2005:36). There are positive as well as negative effects, which can be seen as a result of neoliberalism. A “good” feature is that of the free economic

market structure that has brought about freedom we prize highly, freedom of association and meeting (Polanyi, 1954).

On the contrary however, neoliberalism has created more of a “bad” freedom, as it exploit some persons in the community in exchange for private or material gains. For decades now neoliberalism has “either restored class power to ruling elites as seen in the US or created conditions for capitalist” (Harvey, 2005:156). This bad freedom created as a result of neoliberalism, has created a form of inequality among states and individual in respect of resource allocation and distribution. Thus, it can be argued that, this inequality like a chain reaction might force the less fortunate of the society to consider migration in search of employment or better standard of living. This notion to migrate tends to increase such individuals vulnerability to traffickers. This can be related to trafficking for sexual purposes, as a disadvantage women or girl seeking a better employment abroad, with little or no formal or technical education might be forced to consider prostitution as a means to alleviate poverty.

Also according to Delgado:

Architecture of neoliberal globalization is based on the implementation of structural adjustment programs in southern nations. These programs are centered on the percepts of privatization, deregulation and liberalization, and have been a tool with which to insert peripheral economies including most of the ex-Soviet bloc member countries into the dynamics of globalization. As a result, production systems have being dismantled, facilitating the influx of foreign capital (Delgado and Marquez, 2007:2).

The influx of foreign capital in this context should be a welcomed development as it creates employment for the locals, but it is unregulated and control by private individuals who means those with already sufficient financial capital resources benefit from such and those in the periphery of the economic class continue to live in poverty. This situation of deregulation and liberalization has created a massive unemployment rate in Nigeria, of which women are most affected. As figures shows, “gender

comparative data for adult literacy level reveals a wide range gap of 74.4percent for males against 49.4percent for females in 2008 figures. Also women's participation in industrial sector 11percent compared to 30percent for men" (Fayomi, 2009:77).

Thus, it can be argued that the adoption of a neoliberal economic structures in Nigeria has created a massive unemployment problem through it structural adjustment policy that entails retrenchment and deregulation of labor, which may have brought in the notion to migrate in search of better living standards abroad in the absence of such in their home country, this makes them vulnerable to organized trafficking gangs who exploit their economic vulnerability and traffic them abroad with the promise of better standard of living but with the sole intent of exploiting them for optimum economic benefits.

Also, neoliberalism may seem like a good economic system to adopt, since it promotes the political ideas of human dignity and individual freedom (Harvey, 2005:5). "However, economic freedom seek to restore power to the ruling crash thereby creating series of problems for the lower class of the society, this wide in income gap and unequal distribution of wealth creates a socio-economic disadvantaged individual, in this context a female whom might give into or be deceived or coerced and trafficked for commercial sexual purposes, for the economic benefit or material gains of her traffickers.

Also, according to Kotz, "neoliberalism appears to be a problematic as a dominatory theory for contemporary capitalism. The stability of the capital system depends on its ability to bring vigorous capital accumulation, where the latter process is understood to include not just economic expansion but also technological process. Vigorous capital accumulation permits rising profits to coexist with rising living standard for a substantial part of the population over the long run" (Kotz, 2000:3). The rising standard of living here but about this system only favors those with accumulated

capital, living the less fortunate with the notion of seeking such standards abroad as seen on the media and internet, this notion is being exploited by opportunistic organized trafficking gangs who prey on the vulnerability of their victims and traffic them for their own optimum economic gains.

Thus, it can be argued that neoliberalism as an economy policy does not place any priority on individual as long as those with substantial capital continue to maximize profit, it's a perfect system. This also can be related to sex trafficking in Nigeria as the traffickers exploit their victims for their own optimum economic gains. Hence, neoliberalism can be said to be an independent determine in trafficking for commercial sexual purpose in the Nigerian context. The unbalanced power present in neoliberalism has resulted in an unequal distortion of freedom. Thus, neoliberalism disguise under the impression of free economic system, human dignity, while in real sense it creates a wide income gap between states and individuals. Though, this is 2003 in 1996 “the income of the 358 richest people was equal to the income of the poorest 45% of the world’s population, which consist of 2.3 billion people” (Harvey, 2005:34). The above figures shows that a neoliberal economic structure has created more of bad than good freedom, as it seeks to restore power to the elite at the expense of a huge percentage of the world’s population.

Also another way in which neoliberalism determine sex trafficking is through the deregulation of borders. This gives traffickers to recruit, transport and exploit women to and from destination countries which is facilitated by border deregulation as entrenched in neoliberal globalization. As concurred by Sander, “ultimately the process of trafficking women has become a more efficient, fluid, and seamless process since borders have become unfettered. It seems clear that social concerns for women are not a neoliberal priority as long as the sex industry continues to produce substantial profits” (Sanders, 2003:6). In Nigeria the socio economic status of women has never being equal to that of men. Neoliberalism only strengthens this gender inequality



through its privatization and deregulation policies as women are most affected in respect to their literacy level and as a result, strengthens sex trafficking in Nigeria.

These neoliberal policies are connected to trafficking for commercial sexual purposes in the Nigerian context as a determining factor, as a socio-economic disadvantaged person created as a result of a system that privatizes and put basic amenities such as schools and hospitals out of the reach of the majority of the country's population. This in turn like a chain reaction creates vulnerable people who may easily fall prey to opportunistic traffickers, who plight on their economic vulnerability and desire for better standard of living or employment abroad, promise them such, trafficked them and exploit them for optimum economic output, in this context trafficking for commercial sexual exploitation purposes.

Also it is worthy to consider one of the profound effects of privatization as embedded in neoliberalism, privatization might result in entrenchment of workers with a resultant effect of unemployment another variable identified as one of the determinants of human trafficking. As concurred by Odigie and Patience, "...thus, unemployment has been identified as another causative factor for human trafficking. The rate of unemployment is high in Nigeria leading to desperation for a lot of people" (Odigie and Patience, 2008:69). Thus, the adoption of neoliberal economic policies can be linked as a causative factor partly affecting trends in trafficking of Nigerian women and girls abroad for commercial sexual exploitation.

In addition, the free movement of human capital across national border as embedded in globalization, seen as a means of prosperity for nations, as it encourages economic interdependence among nations, could be abused by traffickers to easily traffic their victims from country of origin to destination country, in this context Nigeria to Italy. In view of that free movement of human capital among nations as entrenched in

globalization will also be considered as a determinant of human trafficking for commercial sexual exploitation in the Nigerian context.

#### **4.2. Globalization and Human Trafficking**

Globalization has increased the practices of human trafficking a form of modern day slavery as it has perforated or opened national borders worldwide, influencing and altering the current state of international relations. For the purpose of this thesis Martin Albrow's definition of globalization will be considered "the active dissemination of practices, values, technology and other human products throughout the globe" (in Bales, 2005:32). The practices of trafficking have made humans commodities. Hence, people can be bought, sold and exploited across national borders in a global context. Globalization on the other hand has made the world a smaller place as people and economies of the world integrate which is to be applauded, but it has also created an avenue for trafficking as human are recruited, trafficked with ease as free movement of human capital across national borders is abused by traffickers. The free movement of human capital resource as entrenched in globalization allows for human trafficking to prevail in any society. Thus, globalization can be assumed to be a determining factor of human trafficking.

Thus, from the above definition of globalization adopted for the purpose of this thesis, globalization can be seen as an increase in the volume of inter border economic interactions and resource flows, which results in a qualitative shift in the relations between national economies and between nation's states.

The ILO states in its convention on the eradication of forced labor that, "over the past few years, there has been a greater realization that forced labor in its different form can pervade all societies, whether in developing or industrialized countries, and is by no

means limited to a few pockets around the globe” (in Kuhl, 2011:16). From the above statement, it can be said that trafficking in all forms is a global phenomenon worth addressing globally as it’s not peculiar only to one region or state.

It may also be helpful to how slavery of the past has evolved to human trafficking of the present globalized slavery practices. Bales state “first of all, slaves are cheaper today than ever before. In some cases human beings can be bought for as little as ten dollars, therefore creating a characterization of disposability in modern slaves. Another change is the length of time a person remains in servitude. Today, slaves are being held for shorter periods of time than in the past, sometimes for only a few months or years. Finally, Bales states that slavery today is globalized” (Bales, 2005:9).

From the above statement, it can be argued that, slavery in its actual sense still exist, only it is coined human trafficking, as human trafficking entails buying, selling and exploitation of humans. In reference to Bales on the evolvement of slavery, people are cheap today, which can be assumed to be as a result of increase in world population, this makes the trafficking industry bigger also there is disposability as a result of the ability to easily recruit victims for trafficking purposes. Also bales understanding of ‘slavery is globalized’ could mean human trafficking is a global phenomenon that could prevail in any society. Though globalization is not always negative, as it has facilitated for free trade amongst nations and fosters inter economic dependence, but its effects can result in increase in human trafficking activities.

Also according to Kuhl, “globalization has contributed to the growth of human trafficking as the modern improvements which have affected international transport. It has become easier for individuals to travel domestically and internationally” (Kuhl, 2011:16). This can be seen as a positive aspect of globalization, but it unintended effect is that trafficker tend to abuse the free movement of human capital across national

borders as entrenched in globalization, as the more easy it is to cross national borders, the easier it becomes for human trafficking to disguise with leisurely or tourism travel.

Thus, it can be argued, that better standard of living as seen on the media and internet, by a socio-economically disadvantaged person can set in the notion of obtaining such better standards abroad. The inability of prospective victims to afford travel cost and documents could also be exploited by trafficker, could be exploited by traffickers whom promise such better standards of living and employment abroad. Also, the free movement of human capital as entrenched in globalization has created an easy avenue for traffickers to move their prospective victims from country of origin to destination country. Hence, the negative effects of globalization on trafficking for commercial sexual purposes in Nigeria cannot be over emphasized, as there seem to be interplay between globalization and human trafficking.

Globalization has made the world a smaller place, in the sense that there is economic integration, free movement of human capital and easy access to information, this are some positive effect globalization has on the world and should be applauded. But it also has its negative effects in reference to human trafficking, according to Aronowitz, “it is difficult to accurately measure the impact of globalization on human trafficking because of the clandestine nature and hidden economies in which trafficked people work. The lack of legislation and inadequate national definition, lack of political will, inexperience in dealing with the issue, corruption, victims inability or unwillingness to cooperate all make it difficult to determine the scale of the impact” (in M’Comrack, 2011:2). Thus, the above mention variables in a global world could make detection of trafficking activities difficult, which means that human trafficking prevails but due to the nature of the economies victims are made to work it will be difficult to detect. Hence, there is need for a more comprehensive approach in terms of prevention and prosecution of traffickers.

Also, in reference to the above statement ‘lack of legislation and inadequate national definition’ this could be applicable to the scenario, where there is a national definition but lack of political will as many foreign treaties and bilateral instruments as regards human trafficking are signed but not domesticated. This can seem to be a setback on the fight against trafficking as this treaties and agreements are not enforceable in the Nigerian court of law, because they have not being domesticated and passed into law by the legislative arm of the government.

Also, according to a trafficking in person report by the US Department of state 2008:

Trafficking also results in a huge loss of remittances to developing countries, because trafficked persons often have to pay off the ‘debt’ they incur for being trafficked (which they may never do). Given that the annual level of remittances to developing countries is an estimated US\$ 325 billion, the lack of remittances from trafficked victims could imply a loss to development of approximately US\$60 billion (in M’Comrack, 2011:3).

Thus, the non-remitted funds to developing countries which Nigeria is one could impede economic development in such countries, thereby creating more vulnerability in victims as a resultant effect of poverty. Hence, it can be argued that, the loss of remittance on trafficked victims whom are mainly youths does not only impede economic development but also results in loss of active labor force. This can be seen as a negative aspect of globalization on human trafficking as it facilitates the movement of these victims from origin to destination country. This effect does not only affect human trafficking but the economic development of developing countries, which is not limited to the Nigerian scenario.

In addition, Danailova-Trainor and Laczko also argue that, “...to forgone benefits in terms of remittance and human capital, there are other human and social costs to development attributed to trafficking. The direct impact on the family and community

left behind cannot be easily quantified but nevertheless should not be ignored” (in M’Cormrack, 2011:3). The psychological effect on the families of victims cannot be analyzed or quantified, which further states for the need to comprehensively address the issue of human trafficking. Victims may be stigmatized or discriminated against upon returning from being trafficked, this might affect their ability to properly integrate into society and lead normal lives. Thus, there is need to educate and sensitize the general populace on the hazards and negative effects of trafficking.

Also it would be worthy to consider the health impact of trafficking in a global world, according to Tordes, “there are significant health impacts for victims both while they are being transported and when they have reached their destination. Perilous journey expose trafficked victims to injury and even death, while overcrowded and unsanitary conditions, and shortages of food and water increase the risk of spreading infectious diseases” (in McCormack, 2011:3). The above statement could be linked to health security issue for the victims also there are chances of them contacting various sexually transmitted diseases in this context, as this thesis seeks to analyze trafficking for commercial sexual purposes in the Nigerian context.

In essence, the loss of remittances and inability of victims to pay off their debts, may result in them staying longer in servitude and worsening economic conditions for developing countries, thereby creating more socio-economically disadvantage people, who may be vulnerable to traffickers. Making the trafficking industry reciprocate and growing by the day. Thus, there is need for better economic policies in developing countries, equal proportion of employment between male and female also in Nigeria this should keep Nigerian women and girls in their home country. Thereby eliminating any prospect of being trafficked abroad for commercial sexual purposes, in this context Nigeria to Italy.

### **4.3. Poverty and Exploitation facilitated by Globalization**

While globalization has positive effects that includes but not limited to, economic and human integration, there are also negative effects that facilitates poverty, which leads to vulnerability of prospective victims and then exploitation. One of the main negative effects of globalization is the widening income gap between developed and developing countries. Also, data shows that, “in Nigeria, where 70% of the population is reported to be living below poverty line of 1\$ per day; women make up greater percentage of the poor in Nigeria. Gender inequalities in the social, economic and political spheres of development further marginalize women and reinforce their disadvantaged positions in the society” (Fayomi, 2009:67). Also according to Kuhl, “this creates a problem in the sphere of trafficking and forced labor” (Kuhl, 2011:17). In this context the disparity in income gap, might create a vulnerable person with the desire to migrate to developing countries in search of better standard of living, this desire in being exploited by opportunistic traffickers, with deception or false promise of a better standard of living abroad. Thus, it can be argued that, globalization through it capitalist features create an uneven income gap, thereby facilitating poverty and subsequent vulnerability of victims to traffickers.

Also “extreme poverty erases any opportunity for legitimate means of making money and leading a normal life” (Kuhl, 2011:17). Thus in the presence of poverty, Nigerian women and girls in the absence of formal or technical education, may turn to commercial sex trafficking is an alternative to alleviate their economic status. If poverty is not effectively addressed through education of the less fortunate in technical skills and subsequent offer of employment by the government, human trafficking for commercial sexual purpose seems and endless cycle to break in the Nigerian context.

In most developing countries which Nigeria is one, families share the sentiment that “we are not capable of helping our children” (Skinner, 2010:31). The scenario can

result in cases where families are forced to give out their children as a result of their inability to provide for them. Also “families are being lied to in order to coerce them into letting their children go. They maybe under the impression that their child is leaving towards a good education, or good work opportunities, and the child almost always ends up in forced labor” (in Kuhl, 2011:18). This scenario can be related to trafficking in Nigerian women for commercial sexual purposes, as families may be lied or coerced into believing the daughter would gain education or employment abroad, while in actual sense the intent is to traffic her commercial sexual purposes for optimum economic benefit of her traffickers.

In essence poverty which is partly as a result of capitalist economic framework present in globalization creates vulnerability in Nigerian women and children to traffickers for commercial sexual purpose. The inability of Nigerian women and children to obtain formal or technical education due to privatization of government owned schools also as entrenched in globalization, limits their active participation in both formal and technical labor sector, thus, making trafficking for commercial sexual purposes an alternative to poverty alleviation. Hence, the continuous illicit practices of trafficking can be curbed through subsidization of formal and technical education for women in Nigeria by the government, strict anti-trafficking legislation if truly trafficking is to be curtailed in Nigeria.

#### **4.4. Economic Globalization as a facilitator of Human Trafficking**

The integration of world economies can be seen as a measure taken to improve economic relations between states, however its unintended effect cannot be overlooked as humans are now regarded as commodities that can be bought and sold across national borders. According to Vayrynen:

Causes of human trafficking are often summed up in monetary terms: people are regarded as commodities, which are moved illegally for a



payment across borders because they have high profit value for the smugglers. Trafficked people are often in demand in the recipient country, primarily to fill gaps in the employment structure that needs cheap labor, irregular labor (in M’Cormack, 2011:5).

Thus, this scenario can be related to trafficking for commercial sexual exploitation in the Nigerian context, as the desire to amass wealth by traffickers may be the reason for the rise in trends of trafficking, also commoditization of humans can also be considered as a fuelling factor. The demand for cheap labor in advanced countries for irregular labor purposes and the availability of such cheap labor in developing countries can also be considered as economic factors that facilitates trends in trafficking. In this context for example, the legalization of prostitution in Italy and the availability of willing, coerced or deceived persons, to supply such sexual services, might also be seen as the reason why Nigerian women and girls are known to be trafficked to Italy for commercial sexual purposes.

Also the negative economic impact globalization has on both human trafficking and economic development of the sending states cannot be over emphasized. According to US Department of state, trafficking in persons report:

Trafficking also results in a huge loss of remittance to developing countries, because trafficked persons often pay of ‘debts’ they incur for being trafficked (which they may never do). Given that the annual remittance to developing countries is an estimated US\$325 billion, the lack of remittance from trafficked victims could imply a loss to development of approximately US\$60 billion (in M’Cormack, 2011:3).

The stated figures can impede not only the economic development of Nigeria but also developing countries affected with high cases of human trafficking. This further compounds the situation, as the urge to migrate which can be exploited by trafficker increase as a result of poor economic conditions obtainable in the prospective victim’s home country. Thus, since globalization as a process is especially entrenched in integration of human and capital resources across border aspirations, an increasingly

integrated economy facilitates human trafficking to prevail, just like slavery of the old, trafficking is a lucrative illicit business that involves exploiting vulnerable people for sexual, servitude, forced labor, organ removal purposes for optimum economic benefit of the trafficker at the expense of the trafficked. Just as it was in the past human trafficking can only prevail in the presence of demand for services of trafficked persons and the ability to supply such services, in this context commercial sexual service.

#### **4.5. Demand Side of Human Trafficking**

What determines demand for humans? Widgren states, “In a global market for trafficking victims, one major determinant is certainly the purchasing power of the population in the countries of destination, in high income countries, customers pay higher prices for non-tradable services, including sexual services” (Widgen, 1994:7). Thus, the willingness of the population to pay for such services and their purchasing power fuels the influx of non-tradable services such as sexual services, thus, in economic terms, for any given product of labor, the higher the price the higher the profit to the traffickers.

Also according to Rahman:

In recent times there have been several types of demand for women for commercial sex work and prostitution in brothels. What drives the demand for women and children for sexual labor in this sector has come to be known as the pull and push factors fueling the sexual exploitation of women mainly from developing countries to more advanced countries in Western Europe and North America (Rahman, 2011:59).

Thus, it can be argued that the demand for women in the Italian sex industry and the ability of the populace to pay higher for such sexual services could be seen as one of the push factors behind increase in trends of trafficking in Nigerian women and girls to

Italy for commercial sexual exploitation. There have been cases of women recruited from less developed countries like Nigeria with the promise of better paying jobs abroad. Upon arrival their passports and other valuables are confiscated by their trafficker in an attempt to deter them from escaping, in some cases victims are abused into submission. In a conversation with a trafficked woman to Japan Bales found out:

Sri was approached by a woman she knew from her province who...told her about a well paid job opportunity in a Thai restaurant. Sri decided to take up the offer because her parents needed money for her younger brothers schooling. Sri applied for a passport herself, but was called to an office to meet a 'boss' who had many passports at hand and choose one for her. She had silicon injections on her face to make her look like the picture on the passport. However, she barely carried the passport herself, entering Japan with a man posing as her 'Japanese boyfriend' who took her passport after passing through immigration officers. Sri believed the passport may have carried a visa for a Japanese spouse. At the airport in Japan, the boyfriend rang another man who came to pick her up by a car, and took her to a bar where she was told she had to repay a debt of 4.8 million Japanese yen about \$40, 000 to cover the cost involved in bringing her to Japan (Bales, 2007:110).

This above case of Sri can be related to cases of victims from Nigeria, whom are deceived with offers of employment or education abroad by traffickers, due to their economic vulnerability and are recruited and sold upon demand. The victim would subsequently but put under an outrageous debt bondage as repayment for trafficking her out of Nigeria. Typically, the cost of obtaining travel documents from Nigeria about should be put at \$2,000, but debt might range to \$40, 000 as stated above.

In addition, "...globalization has also exacerbated the demand for human trafficking all over the world. Globalization with its inherent global technology has further contributed to the enslavement and total exploitation of people across the world. Most of these exploitations have usually gone unnoticed due to the subtle nature of their operation" (Rahman, 2011:60). For example, the use of internet to display or advertise or demand for women for sexual purposes, fuel the demand for such services, thereby

increasing the size of the global trafficking sex industry globally. Also, unregulated enticement of good paying job and better standard of living abroad also bring in the notion of migrating for the less fortunate, such jobs placements may be real or not. In essence, the use of inherent global technology could be abused by traffickers to carry out their activities.

#### **4.6. Supply Side of Human Trafficking**

As regards the supply side of human trafficking, Bales argue, “ that social, economic as well as political realities in source countries make the trafficking in person easy” (in Rahman, 2011:61). Also in the social context Newman argues, “That most of the victims are driven into human trafficking because of the promise of better paying jobs and better social amenities in the intended destination” (in Rahman, 2011:62). This can be related to trafficking for commercial sexual exploitation, as the prospective victims are driven by the desire to migrate in an attempt to escape their economic status, which can be seen as vulnerability exploited by traffickers with deceit and promise of better paying jobs or better standard of living abroad. According to Foxcroft, “...Iboms of eastern Nigeria in Akwa Ibom state for example have become source traffickers to recruit women in search of better condition of life to work as sex slaves in Europe. In this community, the promise of wealth by traffickers is used to entice the youth of the area to migrate to Italy where majority of Nigerians have being identified and rescued by anti-human trafficking groups” (in Rahman, 2011:62).

This situation represents the economic context of the supply side of victims. Poor economic situation for the less privileged, which may partly be a resultant effect of neoliberal economic structures, have forced many into giving into trafficking for sexual

purpose as a medium to alleviate poverty, in the absence of employment opportunities in their home country.

In the socio-economic context, Rahman argues, “another factor that is linked to be the poverty of countries is unemployment. One cannot rule out the fact that unemployment to a large extent contributes to poverty of developing countries” (Rahman, 2011:62). This in this context high rate of unemployment, which leads to poverty in developing countries like Nigeria can be identified also as a variable that determine trends In trafficking of women and girls abroad for commercial sexual purposes. “The biggest problem driving the supply side of human trafficking side of human trafficking problem is the vulnerability” (Rahman, 2011:62). Thus, vulnerability mostly can arise as a result of the prospective victims poor economic status in the community, the elimination of these vulnerabilities could be achieved through a more defined economic structure (neoliberalism) that does not only favor the elites but the general populace, if the war against human trafficking is to be tackled from the supply side.

With the global economic crunch that has forced many economies of developing countries to roll back their economies as a result of the inherent global economic crisis, and resultant effect of massive unemployment amongst the populace. In an ILO Report, “in Ghana and Nigeria, where the youth constitute 50% of the populations, it is not uncommon to find that these men and women will seek avenues for potential employment elsewhere” (in Rahman, 2011:62). This global economic crisis where not created in developing countries, but its effects are most felt in developing countries, this can be said to be one of the setbacks of integration of world’s economies as entrenched in globalization.

Thus it can be argued that, high level of unemployment in Nigeria which can also be attributed partly to the inherent global credit crunch creates a socio-economically

disadvantaged person that may seek better standard of living abroad. Ill-informed about migration, such person's vulnerability could be exploited, and such persons are recruited and trafficked, in this context trafficking for commercial sexual purposes. Hughes also argues, "...the inability of the government to beef up security measures to detect, suppress and control the activities of human trafficking escalates the problem" (in Rahman, 2011:63). Thus, it can be argued that government's inability to perform its obligations to citizens which includes but not limited to human security, can be said to be a major determinant of human trafficking trends. There is need for security officials as the police, immigration and other agencies charged with addressing the issue of human trafficking to be better equipped and trained in detection and suppression of human trafficking activities to the barest minimum level.

Thus, the impact of trafficking in a globalized world can be felt on both the sending and receiving country. On the sending side the loss of financial remittances and human capital cannot be over stressed, as it impedes economic development as a result in the loss of both financial and human resources. While on the receiving side significant impacts of unregulated migration on the economy are felt, and also a threat to the security of the receiving country as trafficking can be considered as a component of organized illegal syndicate and the illegal billion dollar economy it creates. It is worthy to note that with the inherent effect of globalization exists institutions like United Nations, International Labor Organization, Economic Community of West African states, Institute on Migration, and other Non-Governmental Organizations, have set up treaties, agreements and measure to combat human trafficking, though it still very much does prevails today.

#### **4.7 Discussion**

Neoliberalism can be said to be a political philosophy, that advocates and clamors for economic liberalization of states, free trade and open market economies, *privatization*,

and decrease in public sector participation in running off institutions while encouraging the increasing role of private sector participation in a globalized society. This can be seen as a step towards integration of states and humans, thus should be applauded as it encourages active participation of private sector participation in running of state affairs. However, the resultant effects of privatization, means basic amenities such as schools are out of reach for the less fortunate of the society, this situation may lead to many women and girls in Nigeria to lack any form of formal or technical education. In the absence of such, their active participation in the formal and technical sector of the economy is limited this in turns like a chain reaction creates a socio-economically disadvantaged people, faced with the desire to migrate in search of better standard of living. These increase their vulnerability which is exploited by traffickers. Also as concurred by Rahman, “the biggest problem driving the supply side of human trafficking problem is the vulnerability” (Rahman, 2011:62). Thus, it can be argued that, as long as vulnerability of victims exist trafficking in humans will prevail, as opportunistic traffickers will exploit such vulnerability in an attempt to amass material gains.

Also, the desire among developing nations to joins the elite ones in practicing of a global capitalist economic structure, means prosperity for the elite with available financial resources and spells poverty for the lower class of the society, which have being identified as a driving force behind human trafficking for the less fortunate. Also concurred by, “obviously there are close linkages between poverty and widespread illiteracy as well as unsafe and uninformed migration” (Odigie and Patience, 2008:68). Hence, a socio economic woman in this context, with little or no formal education, may be very vulnerable to offers of employment and better standard of living abroad by traffickers, in an attempt to traffic her for commercial sexual exploitation.

Also, according to Whitney, “economic contractions due to capital credit crunch in the last couple of years has affected the financial market in the United States and has trickled down to other powerful economies like Japan and China leading to a global

economic crisis. This crisis has affected economic progress in developing countries and forced governments and local state agencies to lay off workers in the industrial sector leading to unemployment” (in Rahman, 2011:64). Thus, the effect of the global financial crisis created in US has trickled down and its effects felt in developing countries including Nigeria. This has led to putting off of workers further compounding the already unemployment issue inherent in Nigeria. This in turn may increase the vulnerability of prospective victims and bring in the notion of migration in search of a better standard of living, which may be exploited by traffickers.

Thus, it can be argued that with the advent of globalization and integration of world economies, with its components such as but not limited to neoliberal and capitalist economic structures, structural adjustment policies, have being accompanied by a huge increase in the disparity of wealth between nations and individuals, otherwise known as unequal distribution of wealth. The inability of the majority of the populace in developing nations to afford a basic education as a result of privatization of public schools, limits their active participation in both the public and private sector of labor. This makes them vulnerable to opportunistic traffickers who exploit their vulnerability and traffic them for sexual purposes across national borders for optimum economic benefits.

Thus, it can be argued that globalization does not only determine trafficking trends in Nigeria but also around developing nations, this can be attributed to the continuous rise in income gap between nations and individuals and its inherent policies. It, human trafficking can also be said to be integrated in globalization as it clamor for free movement of human capital across national borders, with little or no regards for reason or motives behind such cross border movement.

In addition, many nations may place more emphasis on child trafficking for labor purposes, with disregard for trafficking in women for commercial sexual purposes this



also can be seen as a reason for the inherent increase in sexual trafficking. The driving force behind the prevailing practices of human trafficking today can be attributed to but not limited to, unemployment, poverty, ill-informed migration, violence and coercion, political instability amongst other underlying factors.

Thus, it is recommended that, the Nigerian government should establish Public Education Centers PEC, as obtainable in Turkey to assist in educating the less fortunate of the society at a minimal afforded cost in technical fields and after such skills are acquired employments should be provided. This can be used as both a means to alleviate poverty and create employment, thereby eliminating the notion of migrating in search of better standard of living, which is being exploited by traffickers.

## **CHAPTER FIVE**

### **CASE STUDY**

A lot of researches have been carried out on human trafficking for commercial sexual exploitation, this spells that the phenomenon is an issue of contention in today's society. As earlier discussed in methodology chapter, a case study was carried out in an attempt to give a detailed insight into the phenomenon of trafficking in Nigerian women to Italy for commercial sexual exploitation. This chapter seeks to analyze the data collected during the course of this thesis. Through analysis of qualitative structured interviews with open ended questions, focused group discussion, visual documentaries and analysis of academic publications and journals, the reason behind opting for qualitative method of analysis results from the lack of accurate statistics and data on trafficking in Nigeria women to Italy, thus the use of quantitative may spell a limitation to this thesis. As concurred by M'Cormack, "it is difficult to accurately measure the impact of trafficking because of its clandestine nature and hidden economies in which trafficked people work in" (M'Cormack, 2011:2).

With five participants to this case study; one returnee victims of human trafficking from Italy, and four other commercial sex workers were interviewed using qualitative method of analysis that contained open ended questions, the motivation for doing qualitative method of analysis, "stems from the fact that qualitative research methods are designed to help researchers understand people and the social and cultural context within which they live" (Kaplan and Maxwell, 1994:3). In addition a focused group discussion was also conducted with all five participants, this should enable the

research understand from the participants point of view the drive behind the rise in trafficking of Nigerian women and girls to Italy for commercial sexual exploitation.

### **5.1. Methods Used for Data Collection**

Using content analysis the following variables were identified and isolated as being responsible for trafficking in young women and girls from Nigeria to Italy for sexual purposes, globalization, education, unemployment and poverty. Some of these variables have also being identified by scholars as the push factors that determine trends in trafficking activities. “Obviously there are close linkages between poverty and widespread illiteracy as well as unsafe and uninformed migration” (Odigie and Patience, 2008:68). NAPTIP, “also identifies ignorance with what of which victims are faced when they are trafficked and desperation due to unemployment as other causes for the outrageous rate of human trafficking in Nigeria” ([www.gvnet.com/humantrafficking/nigeria](http://www.gvnet.com/humantrafficking/nigeria)). These variables where isolated by the researcher as they where applicable to all five participants to the case study and on analyzing the focused group discussion, visual documentaries and literatures on trafficking in Nigerian women and girls to Italy, they were also found to be the most common factors behind the drive of trafficking trends in Nigeria.

According to Silverman, “researchers need to obtain informed consent of the respondents under study” (Silverman, 2005:258). Giving information about the research can address this issue, thus enabling the respondent to decide whether to participate or not. The ethical issue of research were addressed ensuring participation was voluntary. It is also worthy to note that all interviews and focused group discussion was carried out in Pidgin English and later translated to correct English by the researcher.

#### **5.1.1. Globalization**

Globalization can be seen as the integration of world economics through financial trade, financial flows, and the exchange of human capital resources, technology and dissemination of information. Also the neoliberal economic structure as entrenched in globalization has been fashioned in a way that the populace is less developed nations are left behind in regards access to the benefits of globalization, as a result of poverty, unemployment and poor economic status, thus, limiting the benefits of neoliberal structures and globalization to the elite. Dembele argues that, “Africa is a marginal player in the global market. It accounts for less than 2% of the world trade; this is because of the uncompetitive nature of most African economies due to their mono-cultural nature” (Dembele, 1991:64). This above figure shows that the benefits of globalization in reference to trade has being felt at the most minimal level in Africa, this can be seen as marginalization of African states in spheres of global trade. In this regard it can be argued that less developed and developing states are being marginalized in the global trade, despite the fact that neoliberal capitalist economic structures as entrenched in globalization are practiced in this states. Also Attoh argues that:

In addition it has caused the existence of two worlds with those countries in the rich north depending on the raw materials from the poor south to run their industrial base. This has engendered competencies and a better well-being for the economies of the north. The result is better well-being for their citizens. Of significance is the fact that the south is saddled with a weak industrial base and a huge population. The economy of the south continues to suffer declining productivity. This situation is the reason why a large number of young women migrate to Europe to seek better opportunities (Attoh, 2009:169).

This poor economic condition as experienced in the poor south in reference to the above statement, with a huge population of socio-economically disadvantage women, the notion to migrate abroad in search of better standards sets in. like a chain reaction, this notion to migrate increases their vulnerability to traffickers, whom exploit their vulnerability and traffic them for commercial sexual exploitation. Thus it can be

argued that, globalization through its economic structure of neoliberalism creates vulnerability in the populace in developing people, as it clamors for but not limited to increased private sector participation in running of substantial volume of economic activities of a state and institutions. This makes amenities as education out of reach of a section of the population. With no formal or technical education, poor economic situations the notion to migrate or being trafficked for commercial sexual purpose might be seen as an alternative to alleviate poverty, this could be exploited by traffickers who promise employment or better standard of living abroad.

Also free movement of human capital as entrenched in globalization, came along with an unintended negative effect that determine trafficking activities. As trafficker abuse the free movement of human capital across national borders as entrenched in globalization to move their victims from sending to receiving countries. Also as concurred by Kuhl, “another way in which globalization has contributed to the growth of human trafficking is the modern improvements which have affected international transport. It has become easier for individuals to travel domestically and internationally” (Kuhl, 2011:16).

Also Whitney argues, “economic contractions due to capital and credit crunch in the last couple of years has affected the financial market in the Unites States and has trickled down to other powerful economies like Japan and China leading to a global economic crisis. This crisis has affected economic progress in developing countries and forced governments and local state agencies to lay off workers in the industrial sector leading to unemployment” (Rahman, 2011:64). Thus, it can be argued that the effect of the global inherent economic crisis being witnessed has led to unemployment; this may create vulnerability as unemployment leads to poverty, and hence trafficking for commercial sexual purpose may be considered by prospective victims with little or no formal education as a means to alleviate poverty. Also all five respondents state that poor

economic situations in Nigeria are the reason behind their desire to migrate abroad for commercial sexual purposes in search of a better standard of living.

*Respondent 1: I wanted to work as a commercial sex worker. Asked why? Her response...I have heard about people that traveled abroad for such purposes and have gained material wealth also, I see adverts on the internet for employment opportunities abroad that pays higher than Nigeria. It is worthy to note that she was deported from Italy for carrying an expired visa.*

This statement is significant to this thesis, as it shows the unintended negative role played by the internet, a tool of globalization, to give the prospective and eventual victim the notion of employment abroad that would result in a better standard of living. Upon being trafficked she worked 2 years for her trafficker before her eventual deportation from Italy for carrying an expired visa.

*Respondent 2: the people here in Nigeria have a low purchasing power, due to poor economic situations; I have been working for six months as a commercial sex worker and I don't have any savings.*

The low purchasing power of most Nigerians that mostly live below poverty line which could be partly attributed to neoliberal capitalist economic structures in place, have favored the elite at the expense of a greater proportion of the country's majority. According to a CIDA report, "in, Nigeria where 70% of the population is reported to be living below income poverty line of \$1 per day, women make up the greater percentage of the poor in Nigeria" (in Fayomi, 2009:67). Poor economic conditions may result in low purchasing power. Thus it can be argued that poverty in a global world that encourages free movement of human capital resources across national borders is being exploited by traffickers to move their victims from home to destination country.

In addition a disadvantage and unemployment person as may be created by the inherent global economic crunch, and in Nigeria Structural Adjustment Policy SAP, which clamors for removal of government subsidies on basic amenities such as but not limited to health, education, these situation also creates avenue for vulnerability of

prospective victims to deceitful promises by trafficker of better employment and standard of living abroad.

Thus, it can be said that Africa is being marginalized from the global trade structure, which its source of raw materials for industries in the developed countries. This marginalization amongst other policies of globalization such as but not limited to neoliberal economic structures and free movement of human capital across national borders, have played a role in the trafficking of Nigerian women and girls to Italy for commercial sexual purposes.

### **5.1.2. Education**

Illiteracy in today's society can be seen as a cause of poverty, as it limits an individual's performance in both the formal and informal labor sector. Also Odigie and Patience argue, "Obviously, there are close linkages between poverty and widespread illiteracy as well as uninformed migration" (Odigie and Patience, 2008:68). Also "even when many of these young people have some education but are not able to get jobs, they feel they could find jobs elsewhere and of course this makes them very vulnerable to the manipulations of the traffickers who bank heavily on their misery" (Odigie & Patience, 2008:68).

The inability of many Nigerian women to secure jobs due to their literacy level can bring in the notion of being trafficked for commercial sexual purpose as a means to alleviate poverty as traffickers mainly lure their victims with offers of better standard of living abroad. According to a CIDA report, "gender comparative data for adult literacy level reveals a wide gender gap of 74.4% for males as against 59.4% for females in 2003 figures" (in Fayomi, 2009:67). The above figures reveal a gender marginalization as regards education in Nigeria. This makes the women and girls to seek migration abroad and most probably voluntary give into trafficking for commercial sexual purposes as a

means to alleviate poverty, this further ascertains the secondary status assigned the females in Nigeria. In reference to the participants to this case study:

*Respondent 1: how many parents would send their daughters to school? Rather they prefer the males go to school while the females are asked to learn or trade or get marriage.*

This above statement further ascertains the secondary status accorded females in Nigeria. Due to poor economic situations in Nigeria and large family size, the male child is accorded preference in terms of education at the expense of the female. Their inability to access formal or technical skills limits their chances of gaining employment, which unemployment leads to poverty. This creates vulnerability in women and girls, whom are deceived with offers of employment and better standard of living abroad.

*Respondent 2: who was a returnee victim of human trafficking...I did not go to school, I am from a large family so my parents could not afford to educate us all...so I decided to go work for a madam in Italy that also promised to send me to school. That is how I travel to Italy and found myself in the sex industry.*

Here, it is worthy to note that the respondent was trafficked to Italy with ease for commercial sexual purpose despite the fact that there exist a bilateral legal binding agreement between Nigeria and Italy as regards sex trafficking, thus, there is need for a more comprehensive legal approach between Nigeria and Italy to identify victims, assist them back to their origin country instead of forceful deportation and also identification, charging and subsequent conviction of traffickers. According to the respondent, her inability to afford any formal or technical or formal education, due to privatization of government owned schools resulting in high cost of education, gave her the notion to migrate to Italy to work as a maid. Upon arriving she was forced and coerced to prostitution, subsequently she was deported after 2 years for carrying an expired visa. Thus, it can be argued that neoliberal economic structures, structural adjustment policy as entrenched in globalization, has made access to education out of reach for the lower



class of the society, this tends to increase the vulnerability of women and girls in Nigeria to trafficking. Also, family size plays a role here in her ability to access education.

*Respondent 3: I opted for prostitution in Nigeria because I did not go to school and cannot get a decent job she also welcomes the notion of being trafficked abroad for prostitution abroad as she believes she will earn more money abroad than in Nigeria.*

According to the above statement, the respondent opted for commercial sex hawking in Nigeria due to her inability to access education. Here poverty plays a role in depriving the respondent any form of education. Also the notion of a better standard of living abroad as seen of the media, for example media and internet are factors that gives the respondent such notion. This notion to migrate is exploited by opportunistic traffickers who promise better standard of living and lure women and girls into trafficking for commercial sexual purposes.

*Respondent 4 & 5 respectively: also form extended family backgrounds are forced into prostitution in Nigeria in the absence of education in an attempt to alleviate poverty and welcome the notion of doing same abroad, in the quest for a better standard of living.*

As acknowledged by Odigie and Patience, “obviously there are close linkages between poverty and widespread illiteracy as well as unsafe and uninformed migration” (Odigie and Patience, 2008:68). Thus, it can be argued that high level of illiteracy in women, which limits their participation in formal or informal labor sector of the economy, tends to bring in the notion of migrating in search of a better standard of living. This makes them most vulnerable to traffickers, who exploit their economic vulnerability and literacy level, traffic them abroad and exploit them for commercial sexual purpose in this case from Nigeria to Italy.

### **5.1.3. Unemployment**

Unemployment can be seen to be a determinant factor of human trafficking for commercial sexual purpose in the Nigerian context. Attoh argues, “...level of unemployment is a barometer to measure a nation’s economic well-being as it increases during depression and decline during economic boom. All regions of the world reflect a higher rate of unemployment among women than men as women are found mainly in the periphery of the economy due to their lack of education and skills” (Attoh, 2009:169). High level of unemployment among women in Nigeria as compared to men can be seen as a determining factor in trafficking of Nigerian women from Nigeria to Italy.

Also according to a CIDA report:

Formal employment sector men fare better than women in Nigeria. Women’s employment participation in the industrial sector is 11% compared to 30% for men. Also in the federal civil service, the largest single employer of labor in Nigeria 76% of people on the pay roll are men compared to 24% of women, while less than 14% of management level officers are women (in Fayomi, 2009:67).

This above figures shows a high level of unemployment among women as compared to men in Nigeria this could represent the secondary status accorded females in Nigeria and can be argued to be a push factor determining trends in trafficking of Nigerian women to Italy for commercial sexual purpose.

This view is also acknowledged by International Organization for Migration IOM, “the lack of opportunities, the disparity in wealth between the rich and poor countries and the marginalization of women as some of the factors responsible for trafficking in women” (in Fayomi, 2009:169). Also Fayomi argues, “This is especially true for Nigeria where implementation of the structural adjustment policy SAP has exacerbated the level of unemployment especially among women due to their lack of education, skills and their inability to access credit from the capital market” (Fayomi, 2009:169). This point is further corroborated by the respondents during a focused group discussion;

*There are no jobs here in Nigeria, even people who have education find it difficult to get decent jobs that is the main reason we decided to engage in prostitution to earn a living as we could not afford to access any form of education.*

According to the respondents from the above statement, qualified and eligible labor force in Nigeria cannot get gainful employment, talk of them with little or no formal education. Their inability to gain employment made them opt for commercial sex hawking as a means to earn a living and alleviate poverty. This can lead to vulnerability of socio-economic disadvantage Nigerian women to into promises of employment or better standard of living abroad by opportunistic traffickers, who traffic them from Nigeria to Italy mainly for sexual exploitative purposes.

Also Whitney argues:

Economic contractions due to capital and credit crunch in the last couple of years has affected the financial market in the United State and has trickled down to other powerful nations like Japan and China leading to a global economic crisis. This crisis has affected economic progress in developing countries and forced government and local state agencies to lay off workers in the industrial sector leading to unemployment (in Rahman, 2011:64).

Thus it can be argued that high unemployment among women in Nigeria created partly as a resultant effect of the global economic crisis, has increased poverty level, this tends to bring in the notion of migrating abroad in search of a better standard of living which makes them vulnerable to trafficking. Also Rahman argues that, “the biggest problem driving the supply side of human trafficking problem is the vulnerability” (Rahman, 2011:62).

*Respondent 2: A returnee victim of human trafficking...the major reason I wanted to travel in the first instance is my inability to secure gainful employment in Nigeria. Asked her motivation for traveling? She responds I see on the media and internet job opportunities and the better standard of living obtainable abroad.*

In reference to the above statement, her status as unemployed brought in the notion of migrating abroad also better standard of living obtainable abroad and

enticement of human capital as displayed on the internet played significant roles in her decision to migrate, which she eventually did with the help of traffickers, upon arriving her destination country Italy she was coerced into prostitution for the economic benefit of her traffickers for 2 years, upon her subsequent deportation for carrying an expired Italian visa. Thus, it can be argued that unemployment plays a role in determining trends of trafficking in Nigerian women and girls to Italy for commercial sexual purposes.

*Respondent 3: high level of unemployment forced me into prostitution as a means to earn a living, as I spare part of my earnings for the upkeep of my mother, also she does not mind being trafficked abroad to work in the sex industry as she also believes she can earn a higher income.*

Here also, lack of education and skills plays a significant role in determining the decision of prospective victims to give into voluntary trafficking for commercial sexual purpose. In addition the legalization of prostitution in Italy and the size of the Italian sex industry can be attributed to the drive behind the increase in trafficking of Nigerian women to Italy for commercial sexual purposes. Ill-informed migration also plays a role here as prospective victims are not adequately informed of the working conditions in their much desired destination countries. Also Respondent 4 and 5 also attributes poverty as a result of unemployment to their opting for commercial sex hawking to earn a living. Thus, unemployment also plays a role in wide domestic practices of prostitution in Nigeria, despite prostitution being illegal in Nigeria. In essence, it can be argued, unemployment which result in poverty can be seen as a push factor determining the trend in trafficking of Nigerian women to Italy for commercial sexual exploitations.

#### **5.1.4. Poverty**

Poverty can be said to be a major push factor for human trafficking not just in Nigeria but globally. According to Jones, “poverty has been defined as the deficiency of material

items necessary for a minimum level of existence” (Jones, 1998:131). Also according to Fayomi, “studies have in one way or the other sought to link poverty with human trafficking especially for sex trade. They argue that the level and persistence of poverty in the sub-Saharan Africa aggravates the incidence of human trafficking among low-income countries” (Fayomi, 2009:67) .Thus, it can be argued that poverty can be directly linked to the increasing trends of trafficking in Nigerian women abroad for commercial sexual purposes.

Also Fayomi argues, “Poverty is directly linked to be a major cause of trafficking for both women and perpetrators and victims. The quest for survival as a result of inequitable allocation and unemployment are considered major motivations for indulgence in human trafficking” (Fayomi, 2009:70). From the above statement it can be argued that, poverty is a drive behind the indulgence of both the traffickers and trafficked indulge in the act of trafficking. Thus, poverty can be identified as one of the variables that determine trends in trafficking for commercial sexual purpose. In the absence of any formal or technical education or skills, the resultant effect is unemployment which like a chain reaction leads to poverty and a subsequent indulgence in human trafficking. Also the vulnerability created as a result of poverty is being exploited by traffickers, who promise better standard of living to prospective victims and traffic them for commercial sexual exploitation. The case of respondent 2 further reaffirms the notion that poverty is a major factor determining trends in trafficking:

*With only primary school education, her parents tricked her into being trafficked to Italy with offers of her working for a wealthy Italian family as a maid, upon arrival she was coerced into prostitution. There are cases where she provides sexual services an average 10 men a day.*

The act of deceit committed by respondent No.2 parent’s is also punishable under the Edo State anti-trafficking legislation which states that, “accomplices to trafficking or

intent to traffic any persons out of Nigeria for any purpose shall be punishable by 4years imprisonment or an option of fine if convicted” (Olateru and Ikpeme, 2006:49).

*Respondent 4: the desire to gain material wealth is my reason for indulgence in commercial sex hawking as a means to alleviate poverty, she also welcomes the notion of being trafficked abroad with the prospects of higher earnings from the same trade.*

Here also the respondent, states that poverty is the reason for participation in the commercial sex industry in Nigeria as means to alleviate poverty, also she welcomes the notion of trafficking abroad as traffickers coerce and deceive the prospective victims with employment offers abroad, which is not obtainable to them in their country of origin. Thus, the degrees at which poverty affects and determine trends in trafficking for commercial sexual exploitation cannot be ruled out. In an attempt to curb the menace of trafficking in Nigeria, the government can adopt a more favorable economic structures that suits the location and position of Nigeria as a developing country, this can shape not only human trafficking activities but also bring about increase in economic development.

Also in reference to the legal frame work as regards human trafficking in Nigeria, the Palermo Protocol which has being signed ratified and domesticated into the Nigerian law, seeks to Prevent, Suppress, and Punish Trafficking especially in women and children, this clearly makes sex trafficking a punishable crime in Nigerian and also in Italy as it has also signed and ratified this Protocol. The is also the Convention against Elimination of discrimination against Women, this specifically does not address trafficking directly but clamors for discrimination against women in both social and economic spheres, if ratified in Nigeria could address the gendered based employment structure that favors men and came reduce the vulnerability of women to trafficker. Also there should be need for overhaul harmonization of the local anti trafficking legislations in Nigeria as the Penal Code treats human trafficking as a misdemeanor offence while Criminal Code treats human trafficking as a criminal offences, these laws are contradictory and are both applicable in different region in Nigeria, this could prove as a

setback on the fight against trafficking. And domestication of all international treaties such as the ILO Forced Labor Convention, ECOWAS Free Circulation of Persons amongst others could go a long way on the fight against human trafficking. The importance of the legal framework as regards sex trafficking in Nigeria, if properly equipped and effectively carried out could deter traffickers from their nefarious trafficking activities. Also if concrete bilateral agreement are in place victims of sex trafficking can seek assistance from appropriate authorities, but so far there have being small number of convicted traffickers as compared to the number of victims they exploit, as there is said to be over 10, 000 Nigerian prostitutes in Italy, many of whom are thought to be victims of human trafficking.

## **5.2. Analysis of Visual Documentary**

The visual documentary talks about, the recruitment process involvement of magical religious elements in the Nigerian trafficking setting and also the role played by organized criminal trafficking ring. It also talks about remittances made by traffickers from this illicit trade as there is evident of flashy cars they send back home and luxurious mansions they own back in Benin City of Edo state in Nigeria. It also shows how deplorable the state of the few government owned schools in Nigeria and how male child education is placed above female child education, which further reaffirms the secondary status assigned the female gender in Nigerian.

It also reveals how traditional magical religious elements are being used to bind agreement between the trafficker and the trafficked prior to being trafficked as deterrence could lead to death or loss of mental sense. Also the administerer of these oaths concurs that he have administered to over one hundred prospective victims prior to being trafficked. Also it talks about how globalization has made life uncertain for Nigerians in the periphery of the economy, which further reaffirms the researcher ascertain and isolation of globalization as a causative factor of human trafficking for commercial sexual exploitation.

It further gives an insight into the daily lives of exploitation these victims are subjected too in their destination country as some of them are made to service over ten clients in a day for as low as 20 Euros which goes to their traffickers. Also these victims cannot go to appropriate Italian authorities to reveal themselves due to fear of reparations from the magical religious elements of fear of physical harm to them or their family back home. Despite the fact there exist a bilateral agreement between Nigeria and Italy on the issue of sex trafficking.

Lastly it talks about baby harvesting another form of human trafficking, where pregnant mothers who do intend to keep their babies after birth are kept and upon delivery they are paid a partly sum of money to part with the child. The importance of these visual documentaries is that, they relate with the researchers intention as to understanding the motivation and recent trends in trafficking of Nigerian women and girls to Italy for commercial sexual exploitation, also it analysis how globalization and economic factors in Nigeria have immensely contributed to the growth of these illicit industry. These also corroborates with the researcher's intention to relate neoliberal economic policies adopted in Nigeria, free movement of human capital resources across national borders as entrenched in globalization and human trafficking.



### **5.3. Discussion**

In summary analysis of the data collected from the interviews with open ended questions, visual documentaries, literatures, academic publications and journal for the purpose of this thesis, four variables were identified namely; globalization, education and literacy level, unemployment and poverty as the major factors that determine trends in trafficking for commercial sexual exploitation. In the Nigerian context the adoption of a neoliberal economic structure and free movement of human capital as both entrenched in globalization, have created a series of problems leading to unemployment and subsequent wide spread poverty.

As acknowledged by Whitney:

Economic contraction due to capital and credit crunch in the last couple of years has affected the financial market in the United States and has trickled down to other powerful economies like Japan and China leading to a global economic crisis. This crisis has affected economic progress in developing countries and has forced government and local agencies to lay off workers in the industrial sector leading to unemployment (in Rahman, 2011:64).

The above statement also corroborate with the response from subject to the case study carried out, that unemployment with resultant effect in poverty force them to seek migrating to advance countries in search of better standard of living.

Thus, it can be argued that, the global capitalist economic structure as entrenched in globalization, has created a problem of unemployment in developing countries as a result of effects from the inherent economic crisis witnessed today, this has made government to lay off workers in an attempt to stay afloat, this compounds the already high number of unemployment among Nigerian women, in an attempt to escape poverty, the turn to trafficking for sexual purposes as a means to alleviate poverty in the absence of any formal or technical education. In addition, low level of education and high literacy level among women has limited their active participation in both the formal and technical sector of the economy. Fayomi argues, “This is especially true for Nigeria

where implementation of the structural adjustment policy has exacerbated the level of unemployment especially among women due to their lack of education, skills and their inability to access credit from the capital market” (Fayomi, 2009:169).

Structural adjustment policy is entrenched in the global economic structure; it is accompanied by resizing and retrenchment of labor force and privatization of public entities amongst others. This creates a problem of unemployment, which leads to poverty and subsequent vulnerability of prospective victims to offers of employment and better standard of living as promised by traffickers. Also, free movement of human capital resources as entrenched in globalization, with its unintended effects has made it easy for traffickers to easily move their victims from origin country to destination country. Hence, globalization with its unintended effects has played a role in trafficking of Nigerian women and girls to Italy for sexual exploitative purposes.

With the fact that the socio-economic disadvantaged mostly constitute the victims of trafficking, with little or no formal or technical education which limits their participation in spheres of the economy, upon being trafficked, it is difficult to gain decent employment in an attempt to earn a living commercial sex hawking is seen as an alternative to alleviate poverty.

This situation is further compounded by the fact that government privatized most of its indigenous organizations such as public schools and hospitals as entrenched in neoliberal economic structures. This put education out of reach for the less fortunate, which tends to bring in the notion of search for employment in the absence of such in their home country. Thus, government should subsidize education as a strategy to combat poverty, which has being linked to human trafficking.

Also the creation of Public Education Centers, to provide technical skill acquisition for women as obtainable in Turkey, upon graduating from such centre there should be provided with employment in their various fields. This should go a long way

to curb human trafficking activities. Also there should be public enlightenment programs and lectures as regards the dangers of engaging in trafficking in humans for all forms of exploitative purposes. Also NAPTIP argues, “Ignorance with what victims are faced when they are trafficked and desperation due to the unemployment as other causes for the outrageous rate of human trafficking in the country” (in Odigie and Patience, 2008:69).

Thus, neoliberal economic structures and free movement of human capital as both entrenched in globalization, education, unemployment and poverty has been identified as some of the variables that determine trends in trafficking of Nigerian women and girls to Italy for commercial sexual purposes. This could be curbed through adoption of economic structures that suit the majority of the country’s population, strict enforcement of laws and legislation as regards human trafficking and also empowerment schemes should be initiated to provide small and medium scale loans to qualified people this should engage them in a sector of economy and will serve as a means to alleviate poverty instead of trafficking for commercial sexual purposes.

## **CHAPTER SIX**

### **CONCLUSION**

The first chapter introduces human trafficking for commercial sexual exploitation from a global perspective, as it gives figures of victims involved in this illicit trade. It also discusses the country in focus which is Nigeria, and how feminization of poverty in Nigeria is a major causative factor of trafficking for commercial sexual exploitation.

Chapter two of this thesis seeks to explain the methodology and research method that was applied for the purpose of this thesis, which is qualitative method of analysis and also how the research began and how data was collected for the purpose of this thesis. Since human trafficking is an illegal activity, the third chapter considers the international, bilateral and domestic law that prohibits human trafficking for labor purposes and also forced labor, servitude or trafficking for removal of organs. Chapter four contains the theoretical aspect used for this thesis. This is neoliberalism and globalization. It seeks to explain how the later determine trends in trafficking for commercial sexual exploitation in the Nigerian context. While chapter five, analyzed the data collected and also contains a case study that was conducted in Nigeria, in an attempted to give a detailed explanation and analysis of human trafficking for commercial sexual exploitation in the Nigerian context. Lastly, chapter six contains conclusion, discussion, recommendations and references in order of appearance used for the purpose of this thesis.

This thesis tried to show human trafficking is a global problem, though it is a case study of Nigeria, trafficking in humans prevails globally, variables where identified and isolated for being the push factors behind the trends in trafficking for commercial sexual purposes in the Nigerian context. These variables are but not limited to neoliberal economic structures and free movement of human capital as entrenched in globalization, education, unemployment and poverty. Evidence from the data collected have showed that, the adoption of a neoliberal economic structure has resulted in the privatization of public institutions with resultant effect of high prices on basic amenities as schools and hospital amongst others, also the structural adjustment policy adopted in Nigeria resulted in retrenchment of the labor. Also acknowledged by Attoh, "...for Nigeria the adoption of the market economy, has resulted in mass rationalization of workers thus increasing the army of the unemployed" (Attoh, 2009:170). Also Whitney argues:

Economic contractions due to capital and credit crunch in the last couple of years has affected the financial market in the United State and has trickled down to other powerful economies Japan and China leading to a global economic crisis. The crisis has affected economic progress in the developing countries and forced government and local state agencies to lay off workers in the industrial sector leading to unemployment (in Rahman, 2011:64).

The resultant effect of privatization also as entrenched in globalization, leads to retrenchment of workers and high prices of commodities and amenities. The effect of these on human trafficking for sexual exploitation in the Nigerian context is that, unemployment results in poverty which like a chain reaction leads to vulnerability in women. As acknowledge by Rahman, “the biggest problem driving the supply side of the human trafficking problem is the **vulnerability**” (Rahman, 2011:62). The vulnerability of prospective victims is being exploited by trafficker who promise employment and better standard of living abroad, traffic and exploit their victims for optimum economic benefits.

Thus, there is need for an integrated comprehensive approach to address the issue of public schools in Nigeria, as the limited available one are in deplorable conditions, which can offer sub-standard education compared to private schools. In reference to Public Education Center PEC obtainable in Turkey, if established in Nigeria by the government can educate women in technical fields and upon graduation employment opportunities should be created. This in turns would engage the women in the technical sector of the economy and they can earn a decent living as opposed to trafficking or domestic sexual hawking as a means to alleviate poverty. Also to corroborate this view, according to a CIDA Report, “in the formal employment sector men fare better than women in Nigeria, women’s participation is 11% compared to 30% for men, also federal civil service (the largest single employer of labor in Nigeria) 76% of the people on the payroll are men compared to 24% for women” (in Fayomi, 2009:67). This can be seen as a gendered based employment structures, the marginalization of women in terms of

employment exposes them to poverty and subsequent vulnerability. This may bring in the notion to migrate in search of a better life, which can be exploited by traffickers who promise better standard of living and employment and coerce them into sex trafficking in this context. Also Odigie and Patience, "...the rate of unemployment is high in Nigeria leading to desperation for a lot of people. Most of the trafficked victims are people who want to go abroad to seek better employment opportunities" (Odigie and Patience, 2008:69). Also this corroborates with the respondents view to the case study conducted, according to respondent 2, her parents deceived her into trafficking for commercial sexual purpose, with the notion she was going to work as a maid for a wealthy Italian family.

As regards poverty being a facilitating factor of human trafficking, numerous researches has sought to link poverty with human trafficking. According to Jones, "poverty has been defined as the deficiency of material items necessary for a minimum level of existence" (Jones, 1998:131). Also acknowledged by Fayomi, "studies have one way or the other sought to link poverty with human trafficking especially for sex trade" (Fayomi, 2009:6). Also, "in Nigeria where 70% of the population is reported to be living below income poverty line of \$1 per day: women make up the greater percentage of the poor" (Fayomi, 2009:66). This further ascertains the secondary status accorded females in Nigeria. Also Odigie and Patience argues that, "obviously there are close linkages between poverty and widespread illiteracy as well as unsafe and uninformed migration. Due to high rate of poverty, many Nigerians of school age are not in school because they cannot afford it, thus those with minimal education and who lack skills required to secure good jobs often fall easy prey to traffickers who deceive them with tales of good jobs" (Odigie and Patience, 2008:68). Thus, it can be argued that the inability of women to access education as a result of poverty, increase their vulnerability to traffickers or voluntary giving into sex trafficking as an alternative to alleviate

poverty. Though the government have initiated some poverty alleviation programs it poverty, still prevails in Nigeria.

There is need for a more integrated approach to eradicate persistent poverty in Nigeria; this can be achieved through political will power on the side of the government in the fight against eradication of poverty. This can be achieved through training of women in skills and acquisition at minimum cost, also there should be provision of enterprenual loans to enable women engage in some form of trade as an alternative to poverty alleviation as opposed to sex trafficking. In essence there is need to encourage the female child education in an attempt to increase their active participation in both the formal and technical labor sector, which might limit the vulnerability of women to promises of good employment and better standard of living by traffickers. As concurred by CIDA Report, “gender comparative data for adult literacy level reveals a wide gender gap of 74.4% for males as against 59.4% in 2003 figures” (Fayomi, 2009:67). This figure also shows a gap in literacy level between males and females, the female literacy level limit their participation in economic, political and social spheres, this further ascertains the secondary status assigned female in Nigeria. Illiteracy does not only expose them to trafficking but limits their active and passive participation in both economic and political spheres in Nigeria.

Also Odigie and Patience argues, “since women are more vulnerable to trafficking a social security policy should be put in place to enhance their access to education by providing scholarships” (Odigie and Patience, 2008:74). The effect of education on sex trafficking in Nigeria cannot be over ruled, as Olujuwon also argues, “there must be adequate funding on education” (Olujuwon, 2008:31). In today’s global society illiteracy can be seen as an invitation to poverty.

As regards legislation on human trafficking in Nigeria, there is the penal code applicable in the south and the criminal code applicable in the north and also a national

agency established to counter trafficking activities NAPTIP, though human trafficking activities especially sex trafficking still prevails. Fayomi argues that, “the lack of adequate legislation, proper functioning machinery and an effective judiciary promote of trafficking in women in Nigeria” (Fayomi, 2009:76). Thus, there is need for an integrated legal approach to fight trafficking in Nigeria. Also there is need for harmonization of the laws as the penal and criminal code stipulates different penalties for same trafficking offence. There is also need for domestication of international treaties signed by the Nigerian government, as most of them are not enforceable in the Nigerian court of law, this could be seen as a limitation on the war on trafficking.

Since human trafficking in broad terms is not peculiar to one region of the world, since globalization fosters trade relations, economic interdependence and but not limited to also human capital movement across national borders, there is need for an integrated comprehensive global approach on the war against human trafficking. Also Olujuwon argues that, “...the efforts of the civil societies, mass media agencies, embassies and government at state and federal levels in creating awareness on this issue” (Olujuwon, 2008:31). Also efforts should be made between sending and receiving countries of victims on human as regards policies and agreements geared towards eradication of human trafficking. Conclusively, trafficking is a phenomenon that can prevail in any society, regardless of how developed it is, thus there is need for a global integrated approach on the war against human trafficking.



## **APPENDIX**

### **INTERVIEW QUESTIONS**

Dear Respondent,

I am a graduate student of Zirve University, currently on a field work as regards my thesis on Human Trafficking for Commercial Sexual Exploitation. Your anonymity is guaranteed, as information provided shall be used for the purpose of this thesis only. Kindly tick the appropriate box or explain where necessary.

In view of that, I solicit your understanding.

Yours faithfully,

Yakubu Yahaya



Self Employed ( )

Unemployed ( )

Employed ( )

Other ( )

### **GENERAL DATA**

- Do you feel you can have a better life working as a commercial sex worker abroad than in Nigeria?
- What do you feel are the benefits of international prostitution?
- Have you ever heard of human trafficking?
- Have you ever heard of or in any way being involved in human trafficking?

Yes ( )

No ( )

- If yes, who sponsored you?
- Are your parents/family aware of your involvement in commercial sex trade or prostitution, if yes please explain?
- How you ever being exploited sexually as a result of human trafficking? If yes could you please give a brief explanation?

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