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Trafficking in Persons Report 2010 - Nigeria

NIGERIA (Tier 1)

Nigeria is a source, transit, and destination country for women and children subjected to trafficking in persons, specifically conditions of forced labor and forced prostitution. Trafficked Nigerian women and children are recruited from rural areas within the country's borders – women and girls for involuntary domestic servitude and forced commercial sexual exploitation, and boys for forced labor in street vending, domestic servitude, mining, and begging. Nigerian women and children are taken from Nigeria to other West and Central African countries, primarily Gabon, Cameroon, Ghana, Chad, Benin, Togo, Niger, Burkina Faso, and The Gambia, for the same purposes. Children from West African states like Benin, Togo, and Ghana – where Economic Community of West African States (ECOWAS) rules allow for easy entry – are also forced to work in Nigeria, and some are subjected to hazardous jobs in Nigeria's granite mines. Nigerian women and girls are taken to Europe, especially to Italy and Russia, and to the Middle East and North Africa, for forced prostitution. Traffickers sometimes move their victims to Europe by caravan, forcing them to cross the desert on foot, and subjecting them to forced prostitution to repay heavy debts for travel expenses. During the reporting period, Nigerian girls were repatriated from Libya and Morocco, where they were reportedly held captive in the commercial sex trade.

The Government of Nigeria fully complies with the minimum standards for the elimination of trafficking. It demonstrated sustained progress to combat human trafficking during the reporting period. In 2009, the government convicted 25 trafficking offenders and provided care for 1,109 victims, increases over the previous reporting period. It also continued to undertake strong efforts to raise awareness of human trafficking. In addition, its National Agency for the Prohibition of Trafficking in Persons (NAPTIP) ceased the practice of interrogating trafficking suspects at the same Lagos facility housing its shelter for trafficking victims. To better ensure victims' rights are respected, NAPTIP formed a committee in mid-2009 to review victim care policies, aiming to strike a balance between ensuring victims' safety in shelters and promoting their freedom of movement. The Nigerian government in 2009 pledged over \$7 million in annual funds for NAPTIP's operation and activities; all government programs received partial payment pending budget approval by legislative and executive branches. Due to a four-month delay in approval of the 2010 national budget, funds were distributed to all federal agencies in April 2010.

Recommendations for Nigeria: In response to reports that labor trafficking, particularly among children, is nearly as widespread as Nigeria's sex trafficking problem, increase investigations, prosecutions, and convictions of labor trafficking offenses; investigate and prosecute, where appropriate, government officials suspected of trafficking-related corruption and complicity in trafficking offenses; work to strengthen penalties for labor trafficking offenses to equal those prescribed for sex trafficking offenses; increase the

provision of vocational training services to victims at government shelters; disburse assets confiscated from convicted trafficking offenders to victims through the Victims' Trust Fund; and begin to take measures to reduce the demand for commercial sex acts.

Prosecution

The Government of Nigeria sustained law enforcement efforts to combat trafficking during the last year. The 2003 Trafficking in Persons Law Enforcement and Administration Act, amended in 2005 to increase penalties for trafficking offenders, prohibits all forms of human trafficking. The law's prescribed penalties of five years' imprisonment and/or a \$670 fine for labor trafficking, 10 years' imprisonment for trafficking of children for forced begging or hawking, and 10 years to life imprisonment for sex trafficking are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Nigeria's 2003 Child Rights Act also criminalizes child trafficking, though only 23 of the country's 36 states, including the Federal Capital Territory, have enacted it. According to the Nigerian constitution, laws pertaining to children's rights fall under state purview; therefore, the Child Rights Act must be adopted by individual state legislatures to be fully implemented. NAPTIP reported 149 investigations, 26 prosecutions, and 25 convictions of trafficking offenses during the reporting period under the 2003 Trafficking in Persons Act. Sentences ranged from two months to 10 years, with an average sentence of 2.66 years' imprisonment; only two convicted offenders were offered the option of paying a fine instead of serving prison time. Together with international partners, the government provided specialized training to officials on how to recognize, investigate, and prosecute instances of trafficking. Police and immigration officials, including those who work at border posts and airports, at times allegedly accepted bribes to overlook trafficking crimes. NAPTIP dismissed two staff members from public service who were found to have diverted victims' funds; they were made to refund the money.

Protection

Nigeria continued its efforts to protect trafficking victims in 2009. Police, customs, immigration, and NAPTIP officials systematically employed procedures to identify victims among high-risk persons, such as young women or girls traveling with non-family members. Data provided by NAPTIP reflected a total of 1,109 victims identified and provided assistance at one of NAPTIP's eight shelters throughout the country during the reporting period; 624 were cases of trafficking for commercial sexual exploitation and 328 for labor exploitation. Various government agencies referred trafficking victims to NAPTIP for sheltering and other protective services: immigration referred 465; police referred 277; Social Services referred 192; and the State Security Service referred nine. Shelter staff assessed the needs of victims upon arrival and provided food, clothing, shelter, recreational activities, and instruction on various skills, including vocational training; psychological counseling was provided to only the most severe cases. While at NAPTIP's shelters, 70 victims received vocational training assistance provided by government funding. NAPTIP estimated the government's 2009 spending on its shelter facilities to be \$666,000. The 2003 Trafficking in Persons Law Enforcement and Administration Act provides for treatment, protection, and non-discriminatory practices for victims. The law specified no trafficking victim could be detained for any offense committed as a result of being trafficked. During the reporting period, the government took steps to relocate victims' quarters a considerable distance from detention areas for trafficking offenders, greatly reducing the possibility traffickers could exert undue influence over their victims. Victims were allowed to stay in government shelters for six weeks. If a longer time period was needed, civil society partner agencies were contacted to take in the victim. Officials encouraged victims to assist with the investigation and prosecution of traffickers, and victims served as witnesses in all of NAPTIP's successful cases. Victims could theoretically seek redress through civil suits against traffickers, or claim funds from a Victims' Trust Fund set up in 2009 through which assets confiscated from traffickers are transferred to victims. The Trust Fund committee is chaired by the Minister of Justice and meets four times per year. The government provided a limited legal alternative to the removal of foreign victims to countries where they face hardship or retribution – short-term residency that cannot be extended.

Prevention

The Government of Nigeria sustained strong efforts to raise awareness of human trafficking over the last year. NAPTIP's Public Enlightenment Unit worked throughout the reporting period on national and local programming to raise awareness. For example, in rural Benue, Kogi, and Edo States, NAPTIP introduced grassroots programs and held its first annual race against human trafficking in Edo State with 5,000 runners. On the national level, it convened the 2009 Model UN Conference for secondary students with a theme of combating human trafficking. Furthermore, a nine-state tour was launched to establish state working groups against human trafficking. The objective of these and several related programs was to sensitize vulnerable people, sharpen public awareness of trends and tricks traffickers used to lure victims, warn parents, and share ideas among stakeholders. Audiences ranged from 50 to 5,000 persons. NAPTIP worked with Immigration Services to monitor emigration and immigration patterns for evidence of trafficking. The long-established Stakeholder Forum continued quarterly meetings in Abuja to foster collaboration among agencies. In August 2009, NAPTIP held a stakeholders' workshop in Kaduna to set program priorities and cost estimates for implementing the National Plan of Action, which was established in 2008. Nigerian troops undergo mandatory human rights and human trafficking training in preparation for peacekeeping duties abroad. The government did not take major action to reduce the demand for commercial sex acts, though officials moved to shut down two brothels in Lagos during the first quarter of 2010. At these brothels, authorities rescued 12 females, including six underage victims of trafficking. One property owner was convicted, sentenced to two years in prison, and required to forfeit his hotel; his case remained under appeal at the end of the reporting period. The second brothel owner's trial was ongoing and he remained free on bail.
