

## **HUMAN TRAFFICKING – TOWARDS A SUSTAINABLE PROTECTION OF VICTIMS -**

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### **INTRODUCTION:**

Human Trafficking is one of the biggest organized trans-national crimes today. It is one of the very tragic ills plaguing the society today. Men, Women, Children, anyone can fall victim to it. It has been described as a form of modern day slavery where people profit from the control and exploitation of others. Almost every country in the world is affected by human trafficking, whether as a country of origin, transit or destination for the victims. It is a heinous crime and perpetrators have over the years successfully hidden their activities.

Authoritative suggestions have it that human trafficking may soon out do drug trade. It was recently reported by CNN that Traffickers globally generate over \$32 Billion annually from this illicit trade. The impact of human trafficking is huge and far-reaching.

The United Nations (UN) (2000) has offered a widely accepted definition of Human trafficking as

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

According to US Trafficking Victims Protection Act of 2000, severe forms of trafficking in persons either for the purpose of labour or sex as the case may be has three elements:

- a) the act of acquisition or movement (International or internal),
- b) the means (coercion, whether by force, the abuse of power, or deception) and
- c) the purpose (exploitation).

The effects of human trafficking are scary. Victims, particularly those acquired for sexual exploitation, suffer from severely deflated self esteem, emotional disturbance, disorientation and depression. They are mostly subjected to sub-standard and unhygienic living conditions, and scanty health care provisions. Worse still, they are constantly exposed to ceaseless and unrestricted sexual abuse and exploitation and denied of the basic sexual protection. They are always at a very high risk of contracting sexually transmitted diseases and HIV/AIDS, which they further pass on to their sex partners. The impact of trafficking to the individual, families, and countries is huge. Therefore it should be everybody's concern.

## CAUSES OF HUMAN TRAFFICKING

- **Poverty and hardship occasioned by bad governance:**

Poverty and hardship constitute the basic reason people fall victim of human trafficking particularly in Africa and other third world countries. The continuous economic meltdown and global recession has increasingly subjected many more people in different countries particularly poor African countries into further hardship. More worrisome is the glib attention the governments pay to education and economic well being of the citizens. Therefore poverty and hardship are major culprits.

- **Break down in family Institution/Values:**

There has been continuous pressure on the family institution in present times resulting in some mothers having to abandon their primary roles of raising and inculcating right values on the children and have hit streets trying to support the family. In some families, children hardly see their parents during the day. Their opinion, impression, attitude are largely formed by what they pick up through the media, the internet, the social networks. Real values are steadily on the decline and children easily pick up the negative values of the decadent society.

- **Inadequate information on the dangers of human trafficking:**

Most of the victims do not have formal education. It becomes easy for traffickers to convince victims to leave their homes, communities and familiar surroundings to travel with them to a destination where they believe they can earn money or get job opportunities. The victims, because of weak capacity for sound judgment and inadequate information on human trafficking, would believe only to realize much later that everything was false.

- **Poor orientation and inadequate training of migration/law enforcement officer:**

Immigration officers and other relevant law enforcement agencies are pivotal to the fight against human trafficking all over the world. There is a compelling need for periodic up-dating and training for the relevant law enforcement officers to keep them abreast of the various devices and ever changing operational modes of these syndicates so that they become more watchful of the activities of traffickers as well as the strange behavior of the victims.

- **Lack of formal education and /or vocational training:**

Most of the girls have little or no meaningful skills or formal education which makes it difficult for them to find decent means of livelihood, and so they become easy prey to the deception of the traffickers. Governments, international and local organizations, corporate bodies and Donor

agencies as well as concerned parents and individuals should invest more in the critical education and vocational training of the vulnerable citizens.

- **Lack of legitimate and fulfilling employment opportunities particularly in rural areas.**

We are all aware of the high level of unemployment in many African countries including Nigeria. An unemployed or under employed hand is an easy prey for human traffickers. Most of the fairly enlightened victims we have encountered fell victim because of the quest for better job and other opportunities elsewhere. A lot of them ignore every warning signals as they believe that the gains of undertaking the venture out-weighs the risks.

- **Psycho/Spiritual factors beyond the victim's control:**

Sexual relationship is strong. Sexual contact with some individuals under some covenants can bring a down turn in the life of a new sexual partner. Having spent some time in the trade, some find it very difficult to quit even after being released. They will just relocate and continue the same activities. These ones are being control by unknown forces.

- **High profit and low risk nature of trafficking:**

The business of human trafficking carries low risk and yet with high profit for the traffickers. Traffickers brood no regards for morality and will stop at nothing to protect their illicit activity including fierce challenge against law enforcement agencies. That is why law enforcement agencies should develop stronger will to arrest and prosecute traffickers including those that provide harbour (like brothels and notorious Receptacles).

#### **WHO IS A VICTIM:**

A victim is anybody who is lured, coerced, abducted, kidnapped, lied to or misled by the trafficker or syndicate to engage in or submit to exploitative activities such as prostitution, sexual exploitation, forced labour, or other forms of criminal activities (e.g. smuggling) or for organ harvesting/sale. A victim is in a form of modern slavery.

A vast majority of victims are children. By the laws in most countries including Nigeria and the EU a child is any person under the age of 18. A child can still be a victim of human trafficking, even where there is no force, deception or abuse of power. However, given the confusing posture at the Nigerian Legislature in recent times and the conflict in the religious laws in some countries, it seems debatable whether this classification of child victim of 18 years will truly reflect the acceptability of such religious cultures even though that is the best that can be done to protect the girl child.

#### **How to identify or determine a human Trafficked Victim:**

- Are you being cajoled, lured or coerced for a better life of pay somewhere?
- Did someone take away your identity card or passport?
- Were you deceived about the nature of job, location or employer?
- Are you working excessive days or hours, performing hazardous work?
- Are you isolated, confined or under surveillance?
- Is someone forcing you to work, to engage in criminal activities or have sex against your will?
- Is someone threatening to hurt you or your family?
- Is someone forcing you to take oaths and incantations?

If you answered “yes” for you or someone you know, You or that person may be indeed a victim of human trafficking. You should contact the Police.

### **POTENTIAL VICTIMS:**

Potential victims are those individuals that have higher propensity to fall to traffickers. Individuals that look seemingly free today but might be trapped the next day. These are people in rural areas and some in Cities but are highly uninformed about the activities of Traffickers. Students, particularly those of poor background are most vulnerable because they easily fall victim to the lies of the traffickers.

### **PROTECTION OF VICTIMS:**

Protection is a process of activities geared towards the successful **rehabilitation** and re-integration of victims to the society, **prosecution** of abusers who exploit others for profit and **prevention** of further activities of Traffickers through awareness creation.

The United States offers a good victims protection mechanism. Under the U.S. Trafficking Victims Protection Act (TVPA) 2008 a human trafficking victim is a person induced to perform labor or a commercial sex act through force, fraud or coercion. Any person under age 18 who performs a commercial sex act is considered a victim of human trafficking, regardless of whether force, fraud or coercion was present. The TVPA enhances pre-existing criminal penalties in other related laws, affords new protections to trafficking victims and makes available certain benefits and services to victim of severe forms of trafficking once they become certified by the US Dept. of Health and Human Services.

In 2003, (amended in 2005) the Nigeria government passed the trafficking law. This is the government response to addressing the scourge of trafficking in persons in Nigeria and its attendant human rights abuses. It is also a fulfillment of her international obligation under Trafficking in Persons Protocol supplementing the Transnational Organized Crime Convention (TOC). Nigeria was a signatory to the TOC and its trafficking in Persons Protocol in 2000. The

protocol enjoins States to criminalize practices and conducts that subject human beings to all forms of exploitation.

The Acts includes various provisions protecting minors and punishing the practice of human trafficking and violation of free will. Victims of trafficking are protected under the Act and will not be detained, imprisoned or prosecuted for offenses relating to victimization, including use of false travel documents, illegal immigration status. The Legislation also promotes education and awareness by requiring companies to include information about human trafficking like Airlines in their flight magazines, tickets and videos. (See trafficking Act )

### **REHABILITATION:**

Interestingly the US approach to combating human trafficking is encapsulated in their adoption of “3P” acronym of Prevention, Protection and Prosecution. Rehabilitation is evidently the fulcrum of victim’s protection. It is the most challenging part of victim’s protection. What is protection without sustainable rehabilitation for the victim? The principal goal of rehabilitation, in our view, is the restoration of a person to normal life such that he becomes useful both to himself and to the society. It is a holistic exercise comprising therapeutics, counseling, educational/training, reorientation and more importantly empowerment. The assumption of rehabilitation is that people are not permanently bad, but that with proper care and supervision the condition can be restored.

Rehabilitation is most effective when it is under an in-house arrangement but it can be an expensive venture. It requires the establishment of a rehabilitation facility. We prefer that arrangement the victim would be subjected to a programme of supervised or monitored reorientation and mentoring. It is under the atmosphere of a rehab centre that most activities of the restoration take place.

So much is involved in the process of victim’s protection through rehabilitation. It involves:

- Reception and Identification
- Health checks
- Sheltering
- Counseling
- Training, Skill Acquisition Programme and Empowerment,
- Family Tracing
- Repatriation
- Follow-up, After-care
- Disengagement

## **ENGAGING THE REHABILITATION PROCESS:**

Having looked at protection and processes involved, a sustainable protection promotes the policy of “3Ps”, Prevention, Protection and Prosecution.

- As a preventive strategy more awareness should be created, in Schools, Churches, Mosques, Local Government Councils, Cities and Rural Communities. Continuous campaign should go on. Local government councils should be fully mobilized for effective coverage.
- The establishment of well funded and managed rehabilitation facilities in various locations. Considering the number of people requiring rehabilitation, each local government council should endeavour and have at least one centre.
- The corporate bodies, churches, mosques, civil societies should take more than passing interest in rehabilitation and management.
- There should be comprehensive rehabilitation programme with constant re-orientation, re-directing, and re-focusing these individuals. Emphasis should not on skills alone but human development course. This will help to
  - a. Increase their personal efficiency
  - b. Help them attain maximum success and excellence in any chosen skill.
  - c. Equip them to be purpose driven.
- Counseling is indispensable in the rehabilitation process. Therefore the services of certified counselors are needed to be able to identify the specific orientation of every victim. They could be grouped or categorized depending on the assessment of each need.
- Victim’s security and medical needs should be addressed in the course of rehabilitation programme. Security issue is really important because some of the victims can be difficult or even have psychological, spiritual or other conditions and could make things difficult for rehabilitation facility. There should be strict rules and regulations to which the victim should comply with. Prudence also demands that some arrangement be put in place to address the victim’s health care needs.
- At the point of disengagement, proper arrangement should be made to establish each person on the learned skill. This will entail some the arrangement of funding which could be made with finance companies to assist them with soft loans, under monitored supervision.
- Follow-ups and after care services should be continued for up to two years.

In all, there is no doubt that the process of protection and rehabilitation of human trafficking victims is expensive in terms of human and financial resources. But the dividend to the peace and security of the society cannot be quantified.

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Buzzle: [www.buzzle.com/articles/effects-of-human-trafficking](http://www.buzzle.com/articles/effects-of-human-trafficking)