

Revisiting Child Labor, Human Trafficking and Forced Labour in Nigeria

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ABSTRACT

Child labour, human trafficking and forced labour are varied but interlocking aspects of transnational crime. In Nigeria, this constitutes a severe social issue that continues to mutate and take on new faces; its sustenance propelled by social cleavages, poverty, ethno-religious conflict and political mismanagement of the Nigeria State. As a topical issue, it has garnered a lot of scholarly attention, yet its mutative capacity raises the need for continuous research. This paper therefore revisits child labour, human trafficking and forced labour, paying attention to new directions and current trends as well as continues. It adopts the historical approach to tease out the nuances. Fieldwork done in a previous study on human trafficking provides useful data. Primary documents including official gazettes, personal interviews as well as desk review provided the data for the study. The work contributes to the literature on trafficking and transnational crimes

Keywords: *Child Labour, Human Trafficking, Forced Labour, Nigeria.*

Introduction

The International Labour Organization in its 2021 global data, estimates that 27.6 million people worldwide are trapped in forced labour, out of the 49.6m in modern slavery. In a breakdown of the figures, they note that 11.8 million of those in forced labour in any context are women and girls, and this primarily occurs in the private economy, with about 86% of such cases perpetrated by private actors.¹

Human trafficking can be encapsulated under what is now commonly known as ‘modern-day slavery’. Trafficking in human beings was first used in relation to white slavery with the 1904 International Agreement for the Suppression of White Slavery, arising out of fears of racial contamination of white women in sexual relations with non-white males and the racial contamination that implied. Issues of racial hierarchy, colonial tension and public and moral outrage were some of the facilitating factors for the adoption of the 1904 legal instrument. However, its racial outlay made its international application ineffective and gave rise in 1910 to the International Convention for the Suppression of White Slave Traffic.² The struggle against modern forms of trafficking was given a boost and catapulted onto the agendas of governments in many parts of the world with the adoption in 2000 of the United Nations [UN] Protocol to Prevent, Suppress

and Punish Trafficking in Persons especially Women and Children, a supplement to UN's Convention against Transnational Organized Crime. The United States took the forefront in the fight with the passing of the Trafficking Victim Act [TVPA] in the same year, establishing itself as the global watchdog and its State Department's annual Trafficking in Person's [TIP] Report one of the most cited database. According to the Palermo Protocol:

“Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, or the removal of organs.”

Three strands can be teased out of this definition:

- Act: recruitment, transportation, transfer, harbouring or receipt of persons
- Means: threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of position of exploitation
- Purpose: exploitation including prostitution of others, sexual exploitation, forced labour, slavery or practices akin to slavery, removal of organs

The UN Convention and its Supplementary Protocol broaden the space of trafficking beyond prostitution to include issues relating to coercive and irregular migration processes and forced labour. Stemming from the above definition, international legislation on trafficking emphasizes immigration control and criminalization rather than social justice and human rights.³ Narratives of slavery continue to resonate in contemporary trafficking discourse. This could be read as a recognition of its historicity but perhaps more accurately as a means by government, International Organizations, the media and individuals to heighten the emotional and moral hysteria. Trafficking narratives are inundated with inflammatory language and exaggerated inconsistent figures that heighten emotional hysteria, reminiscent of the construction of panic around threats to women's bodies in the 'white slave scare'. This privileging of emotion-invoking horror stories of trafficked victims has given rise to what has been called the mythology of prostitution.⁴

As noted earlier, the international instrument on trafficking prior to the Palermo Protocol had inextricably linked trafficking with prostitution. This is evident in the 1921 Convention for the Suppression of the Traffic of Women and Children; the 1933 Convention for the Suppression of the Traffic of Full Women and The Convention for the Suppression of the Traffic of Persons and of the Exploitation of the Prostitution of Others of 1949. A lot of governments still collate data based on this premise, addressing trafficking

as tied to the sex industry only. The same position is held by some feminist lobby groups who posit that trafficked people end up in prostitution.⁵ The Palermo Protocol came into force on December 25, 2003, and its ideas and shifts in conceptualization of trafficking have been encapsulated in national and regional policies as offshoots of the international agreement.⁶ In Nigeria, it led to the formation in the same year, of the Trafficking in Persons (Prohibition) Law Enforcement and Administrative Act and the National Agency for the Prohibition of Traffic and Other Related Matters [NAPTIP] to combat prostitution and human trafficking.

In spite of its global connectivity, the dynamics of trafficking for various purposes and spatial networking in each country to an extent remains peculiar and varied in perception -which impacts trafficking discourse, structure, organization and causality. Its capacity to transmute, bringing about new flows and patterns adds to its complexity. These diverse factors are as important as the economic derivatives of trafficking which resonates at the global level and remains central to its analysis. It becomes important for a nuanced study to place human trafficking in a historical context while teasing out the socio-cultural and political thread. This paper thus attempts a holistic view of human trafficking in contemporary Nigeria, anchored in the country's historical, socio-cultural, political and economic realities. It rejects broad categorization and its risk of essentialism and stereotyping. In doing this, the focus will be on trafficking in women for sexual exploitation, child labour and forced labour. These three forms of human trafficking are endemic in Nigeria though this is not to deny the existence of male trafficking for sex. It is more common however for young boys to be trafficked into forced labour. Organ trafficking has also gained ascendancy in the country.⁷ Aside from its prevalence in Nigeria, women trafficked into prostitution are more visible and thus mostly reported in the discourse on human trafficking.⁸

Data for this study is drawn partly from doctoral research undertaken from 2004-2006 in Nigeria. In view of the changing terrain of human trafficking occasioned by demographic fluidity, and social and political changes that impact on geographic locations of migrant sex traders as well as their living conditions, a new field survey has been undertaken adding to the previous, especially of girls in the domestic sex trade. Existing relevant literature showcasing the current debate on human trafficking has been analyzed to interrogate its relevance and/or importance in the Nigerian context.

The discursive landscape of human trafficking in Nigeria remains sketchy in dispassionate scientific investigations but is mostly given to emotional sensationalism and echoing the political standpoint of the State which represents the trafficked as victims thus erasing any form of agency. However, trafficked women are far from a unitary category and to lump them is to romanticize a highly complex and multifaceted phenomenon. After a doctoral degree in gender history, I have continued to research female trafficking and what becomes apparent is the internal hierarchy. Age, class, status and channel of migration affect the experiences of those trafficked. Often silenced in trafficking rhetoric is the increasing number of women who consent to be 'trafficked'. It throws up the question of what trafficking actually means; a question that is gaining

ascendancy among researchers.⁹ This definitional murkiness further complicates issues and only serves to uphold the need to contextualize, human trafficking which is what this paper strives to do. To address human trafficking in Nigeria, it is necessary to understand the peculiar space in which it operates and the determining factors behind it.

Sex Trafficking

Human Trafficking has been defined by the Trafficking in Persons (Prohibition) Law Enforcement and Administrative Act 2003 of Nigeria as:

All acts and attempts involved in the recruitment, transportation within or across Nigeria borders, purchases, sales, transfer, receipt or harbouring of persons involving the use of coercion, deception or debt bondage for the purpose of placing or holding the person whether for or not in involuntary servitude (domestic, sexual or reproductive) in force or bonded labour or in slavery like conditions.¹⁰

Often more visible than other forms of human trafficking, female trafficking for sexual exploitation occupies a major part of the discursive space. Recent data on human trafficking in Nigeria as reported by NAPTIP show a predominance of female ‘victims.’ According to the Counseling and Rehabilitation Department, 3050 people were identified from 2004 – 2008, only 771 of them male.¹¹ In 2015, the percentage of trafficked persons who were female had risen to 76.38% predominantly within the age group of 18 – 27 years.¹² In 2020, 80% of all rescued victims were women and girls with children constituting 52.4% of the total number of rescued victims.¹³ The largest category of human trafficking this year was foreign travel which promotes prostitution. This was followed by the procurement of persons for sexual exploits and child abuse cases. Interestingly the NAPTIP data showed that Benue, Cross River, Akwa Ibom, Kano and Sokoto, top the list of the victims’ States of origin, excluding Edo State famed for migrant prostitution.¹⁴ In 2021, the volume of trafficked persons that were female increased to 86% but unlike the previous year, the largest category of human trafficking cases was child abuse followed by foreign travel which promotes prostitution. In this latter category, all the rescued victims were female.¹⁵

Sex trafficking narratives in Nigeria are framed around the trafficked as a victim, drawing from the model espoused by the United States which emphasizes criminalization and ‘victims’ protection and is also enshrined in the UN definition of human trafficking which sees it as a non-consensual process. Major determinants of human trafficking in Nigeria include pandemic poverty, porous borders, poor legislative framework, high illiteracy levels, and gender marginalization.¹⁶ Data from the National Bureau of Statistics is illustrative of the dismal economic landscape reporting a mounting incidence of poverty from 54.4% in 2004 to 69% in 2010. Estimated economic figures from 2009 to 2011 show that the national unemployment rate increased from 19.7% to 23.9%.¹⁷ It dipped to 18.8% in 2017 and by the end of 2018, it had risen up again to 23.1%.¹⁸ Female unemployment on the other hand stood at 35.2% by the end of 2020. Gender disparity

continues to be a generic feature of the societal landscape. With regards to the level of literacy, there is almost parity between both sexes aged 15 – 24 with a rate of 78.3% for male and female 72.3%¹⁹ however, this has not translated into an equitable share in the labour force and political representation. Socio-cultural restraints hinder girls and women from proactively engaging with the Nigerian state. Unequipped to participate positively in a neo-liberal economic structure, the female population continues to inhabit the social strata of the dispossessed and is thus vulnerable to trafficking internally to the cities or beyond the Nigerian borders.

The reality of deprivation for the majority of Nigerians, drawing from a debilitating economy, is further exacerbated by the growing national insecurity experienced in the wake of civil ethno-religious and political conflicts and this creates an environment conducive to trafficking. More and more people are desirous of escaping the hardship in Nigeria for a safe haven abroad. This romanticized notion of Western countries as spaces of unbridled opportunities is sustained by glamorous representations in the media and global interconnectivity made possible by the internet and other forms of information technology. Emigration becomes perceived as the ticket to sharing that wealth. The ‘success’ of commercial sex workers in Europe expressed in lavish displays in Nigeria, investment in real estate and private enterprises only heightens the notion of the viability of sex work in the West irrespective of inherent exploitation. There is a need to acknowledge the existence of self-determined migration for the vast majority of Nigerians who lack access to legal means of migration. Recognition of such an agency irrespective of its constraints will according to Nandita Sharma enable an understanding of how “processes of capital globalization and the consequent effects of dislocation and dispersal shape the mobility of illegalized migrants”²⁰

Sex trafficking in Nigeria is not a new phenomenon. The emergence of a large volume of migratory prostitution, internally and beyond the Nigerian borders was first identified in the 1920s linked to the socio-economic dislocations effected by European colonization including an overwhelming number of female-headed households, and large-scale Colonial capitalist ventures in urban centres. It spurred industrialization and a pool of wage-earning single men and the large-scale deployment of Western and Non-Western armies in Colonial cities like Lagos and Kumasi, Accra and Sekondi in Colonial Ghana. It created a demand for sexual services that were met by young women as a strategy not just for financial but social independence. By the 1930s, migrant prostitution had become politically embarrassing for the Colonial government to necessitate migratory controls and attempts at regulating prostitution.²¹

The Trafficking Routes: From Home to Transit and Destination Points

From the late 1990s, the sale of sex by female Nigerians abroad especially in countries like Italy, Sweden and the Netherlands drew the attention of European governments to irregular migrations into Europe and its exploitative tendencies. It became necessary to address issues of migration as related to trafficking and the implication of countries in Europe as transit and destination points. Sex trafficking flows

do not only emanate from Nigeria to Europe but are operational at the regional and national levels. The United States Department of State identifies Nigeria as a source, transit and destination country. Most of the women and children trafficked for sexual exploitation in Europe are taken to Italy, Spain, Belgium, The Netherlands, and Saudi Arabia. New destination centers include Southern Europe, United States, Central and Southern Africa, Venezuela in Southern America and the Middle East.²² Within the African continent, Niger Republic, Mali, Burkina Faso, Guinea, Ivory Coast, Libya and Morocco are some of the countries which serve as transit and destination countries for trafficked Nigerians.²³ The Lagos- Cotonou route sees the largest volume of trafficking, about 75% according to NAPTIP. In the North, exit points include Katsina, Kano and Sokoto, usually through Niger Republic, to Mali, Libya or Morocco onto Europe. The Libya route often involves crossing the desert into Europe through the Straits of Sicily while Morocco is used as a transit point into Spain.²⁴ In a lot of cases, trafficked women from Nigeria end their journey in these transit countries where they are unable to make the crossing into Europe. The duration of the journey varies dependent on the mode of transportation and could extend to several weeks or months if through the Sahara desert.²⁵ The process of acquiring travel documents could necessitate a stay in safe houses in transit cases for upwards of two months during which time the young women and girls.

Europe is the favored destination for Nigerian women and girls trafficked for sexual exploitation. A 2009 study by TAMPEP, a Non-Governmental Organization that supports rights of migrant workers in Europe, showed a high percentage of prostitutes were migrants. In Spain, Italy, Austria and Luxemburg, migrants made up over 80% of the sex industry population, while in countries like Finland, the Netherlands, Belgium, Germany, France Greece, Denmark and Norway it was 60-75%.²⁶ The demographic profile shows that in 2008 most of the migrants, about 70% were women from Central and Eastern Europe. Nigerians are the most visible African nationality across Europe. It is in Italy that one sees the highest concentration of African women in the sex industry, about 40% according to the TAMPEP study and mostly Nigerians. From 2015 – 2017, the predominant sea route used by irregular migrants from Nigeria to Europe was the Central Mediterranean, from Libya or Tunisia to Italy. Within this period, particularly in 2017, Nigerians made up the largest migrant group with a population of 18, 260.²⁷ However, there has been a downward trend in the numbers since 2017. This downward trend is not disconnected with the more stringent immigration policies put in place by European countries. Traffickers are now looking away from Europe to the Middle East and within Africa. The more common passageways from Nigeria is the Eastern Mediterranean route through Turkey to Bulgaria and Greece. In 2021, 60% of irregular migrants from Nigeria entered Europe by land through Turkey and 38% by sea through the Central Mediterranean.²⁸

In a 2019 position paper, TAMPEP questioned a governmental approach to migration that functions only within the framework of “illegal immigration” as detrimental to the welfare of migrant and trafficked persons.²⁹ The paper emphasizes the need to reject traditional approaches to sex work, which hinge on suppression and control,

to policies that seek to address structural determinants of trafficking and forced labour. The importance of recognizing the needs of migrants and sex workers is seen as critical to their social and political inclusion. This should be done in partnership with the sex workers themselves and offers a more realistic system of intervention.

In contemporary Nigeria, as noted above, there is a discernable increase in the number of trafficked cases in the Northern region. Endemic areas include Kano and Sokoto states in the North-West; Borno in the North-East; and Benue and Adamawa in the North-Central. Most of the cases were of child abuse, child labour and internal sexual exploitation.³⁰ Imo, Abia, and Anambra have witnessed a rise in cases of Foreign Travel which Promotes Prostitution but the South-South, particularly Edo, Cross River and Delta States account for the highest percentage of rescued victims of human trafficking from 2019 – 2021.³¹

Historically, the Cross River region monopolized the overseas sex trade in Colonial Nigeria. This feat was enhanced by its early contacts with the Europeans and other West African countries (The Gold Coast, Equatorial Guinea, and The Cameroun Republic), which facilitated social and personal networking and enhanced recruitment into the sex trade. In the same vein, the Edo States' monopoly of the supply of women and young girls for trafficking into Europe's sex trade cannot be divorced from historical migration networks forged in the 1980s when there was an influx of West African migrants into Southern Italy to work on tomato farms. In Agathise's work, the migrant profile during this time showed a dominance of older women either married or divorced.³² What continues to prevail to date is the societal support for female migration akin to what obtains in South East Asia. There is a feminization of labour as female migration into Europe's sex industry is widely tolerated and imbedded in societal strategies for survival. Women are made to bear the brunt of providing for their families. Having a family member in Italy remains a desire of many households in Benin and its surrounds. The perception here is that tales of exploitation as told by the State through the media and awareness campaigns are exaggerated. Some see it as a 'bad belly' that is an attempt to hinder their family's road to success. The seemingly fallacious reports are made more so by 'success' stories of trafficked girls and women in Italy typified by remittances sent home and capital ventures engaged in especially in the real estate sector. Transnational prostitutes in the 21st century represent yet another group of wealthy migrants just like their predecessors in the Cross River region in the 19th century whose remittances were high enough to necessitate the setting up of postal services for the transaction of money orders. These prostitutes accumulated property and contributed significantly to the survival of rural households.

The pull of the West is hampered by restrictive immigration policies, which tighten border controls. The desire to escape the pandemic poverty and marginalization in the country renders a lot of women and children vulnerable to traffickers. A lot of the trafficked take personal decisions to migrate overseas for prostitution motivated by the craze to strike it rich, itself fuelled by the growing intolerance of the poverty in Nigeria. Thus, determined to improve their economic condition, propelled by family members

who see in them an escape route from deprivation and marginalization and encouraged by the financial success of older prostitutes, more and more females are voluntarily migrating for sex work despite deterring reports of the risks and problems of such work.

Yet others are enticed by false promises of employment in Europe. There are also cases of girls forcibly taken or kidnapped.³³ In an interview with Eunice, an employee with CARITAS, a religious organization in Italy concerned with the rescue and rehabilitation of Nigerian prostitutes, she pointed out the ease with which girls from rural areas can easily be exploited because they are very ignorant and acquiesce easily to whatever is demanded of them. For these girls, the Madam is perceived as a benefactor and the ability to travel to Europe is enough compensation for whatever hardship they encounter in the process. The import of this becomes clearer when you realize that the new recruits are mainly poor rural girls who have never ventured far beyond their immediate vicinity. To them, the white man epitomizes wealth and sophistication.

Inside Europe

In Europe, the girls are delivered to their sponsors and become subject to the latter, forced to prostitute until debts incurred are fully paid. There are varying accounts of amounts paid by a trafficked prostitute, however, most reports cite \$40,000.00 to \$50,000³⁴ new recruits are accommodated by the Madams, which also ensures effective control over the girls. The girls are required to stay on the road at night from 8 pm to 5 am or during the day from 10 am to 8 pm.³⁵ A field study carried out in Torino in July 2004 revealed a large number of Nigerian prostitutes plying their trade outside the inner cities and along track roads. One could see makeshift shelters often with a camp bed on these trails. These are deemed safer 'beats' away from the harassment of the Italian police. The payment for a prostituting space otherwise called 'joint' or 'beat' is \$600 monthly at night time and \$900 for a daytime space.³⁶ More stringent controls on street prostitution in Italy have impacted most Nigerian prostitutes who predominantly engage in street prostitution. It has pushed them to the countryside and trail roads on the outskirts of the town; more isolated areas that provide little or no safety nets for the sex peddlers.

The organizational structure of sex peddling in Europe typically involves the sponsor usually a woman called 'maman' and her partner who could be a husband, lover or family member with about 2-3 persons in some cases including a minor, under their control [UNICRI 2010]. The structure so described is not uniform across Europe but varies in complexity and sophistication. In Castel Voturno, in the South of Italy, trafficking is managed as part of a criminal syndicate that is larger and more sophisticated.

Accruable income from the sex trade has fluctuated over the years determined by prevailing economic and political circumstances. The end of the cold war and the collapse of the Soviet Union opened a floodgate of migrations to Western Europe. The ensuing upsurge of prostitutes from Eastern Europe into Western European countries like Italy, Spain and Holland depreciated the demand for Nigerian girls and led to a reduction in client's fee. The estimated daily income of prostitutes in the early 1990s ranged from

the equivalent of \$300-\$500 on a busy night (Newswatch 26th July 1999) but by the time of the field survey in 2004, daily accruable income had dropped to about \$100 - \$150. In the 2011 Al Jazeera report on the sex industry in Italy, one of the prostitutes interviewed noted that prices charged range from 10 -20 Euro per client though this could go up to 50 Euro or more if sexual exchange took place in a hotel [Al Jazeera 2011]. The need to generate income daily lends desperations to their acts. Prices are lowered rather than lose a client because of the need to 'make returns' to the madams and bosses. However, engagement in group sex, fetish sex and animal sex attract higher remuneration. The global economic recession currently being experienced has further rendered trafficked prostitutes vulnerable and heightened their desperation.

The docility of the trafficked girls and women and repayment of debts is ensured through diverse means. Previously, it was through the use of voodoo rites prior to embarking on the journey. During such rites, the new recruits are forced to give parts of their hair from the head, armpit or pubis.³⁷ In some cases, pieces of their nails and menstrual blood are added. These are tied up in a bag and used for voodoo or 'juju' rites. The psychological impact on the girls is tremendous and was contributory to the refusal by most of the girls to divulge the names of traffickers or even testify against the in court.³⁸ The voodoo scare was effectively stopped through revocation by the juju priests³⁹ but it gave way to new forms of control such as videotaping the girls swearing an oat of allegiance nude and threatening to post it online.⁴⁰ On completion of their debts, some of the sex workers become 'Madams' sponsoring the trafficking of family members or friends.

The unprecedented rise in transnational prostitution in Nigeria, the huge profits derivable and the dent on the country's image with implications for economic sanctions have attracted government attention and placed issues of trafficking for prostitution at the forefront of government policies. However, overseas prostitution despite its popularity remains only one aspect of the sex industry.

Child Labour, Forced Labour

Child labour has generated a plethora of scholarly and non-scholarly work and yet it remains to be fully grasped, a clear indication of its complexity and contestation induced in the main from definitional fuzziness. The International Labour Organization [ILO] has been derided particularly by Third World scholars for basing its varied prescriptions on Western notions of childhood leading to the attempt to distinguish between child work and child labour. The 1999 Convention no 182, on the abolition of the worst aspects of child labour is indicative of a greater awareness of the complexity and variation of child labour in different cultural contexts. Article 3 of 11the 1999 ILO Convention No 182 defines the "Worst Forms" as:

- a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour including forced or compulsory recruitment of children for use in armed conflict;
- b) the use, procurement or offering of a child for prostitution, for the production of pornography or for pornographic performances;

- c) the use, procurement or offering of a child for illicit services, in particular for the procurement and trafficking of drugs as defined in the relevant international treaties;
- d) work, which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Implicit in the above definition is the perception that the worst forms of child labour are forced labour with its inherent exploitation and slave-like conditions. The basic definition of forced labour is enshrined in Article 2 (1) of the ILO's Forced Labour Convention of 1930 (No 29) as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily" [ILO 2005]. Penalty exacted could take different forms including physical violence, and financial and psychological threats. Child labour becomes forced labour under situations of exploitative labour involving not only the child as an individual but also as part of a family involved in exploitative labour.⁴¹

The acknowledged conclusion that child labour is contextual necessitates an analytical framework deriving from specific contexts and the existent politic-economic and socio-cultural milieu. There is need for a perspective of child labour that draws its basic premise from the social construction of child labour in the country. The notion of children working is not perceived as an anathema in the Nigerian society, but is regarded as a natural and legitimate practice entrenched in the local custom and tradition. At the same time, cultural practices could, and do indeed facilitate the exploitation of children in the labour market. For instance, the practice of fostering has been utilised in the trafficking of children into forced labour. The cultural toleration of children working therefore plays an important part in any analysis of child labour issues in the country.

In Nigeria, legislation to combat child labour is embedded in the Child Rights Act No 26 of 2003, meant to provide and protect the rights of the Nigerian child and other related matters. The Act focuses on the best interest of the child which should be of paramount consideration in all actions and the need to give protection and care necessary for a child's well-being. These basic needs are reflected in the plethora of rights accorded to the Nigerian child. Section 11 endows the child with the right to dignity and accordingly as spelt in sub-sections (a-d), no child shall be "subjected to physical, mental or emotional injury...including sexual abuse"; tortured, or "held in slavery or servitude, while in the care of a parent, legal guardian or school authority or any other person or authority having the care of him" [FGN Official Gazette 2003: a 460-1]. Section 15 recognizes the right of the child to free, compulsory and universal primary education. In line with the law, the Federal Government recently extended the period of basic education from six years to 9 years. The Act prohibits child betrothal and marriage (section 21 and 22). Defaulters are liable to a fine of 500,000.00 naira or five years imprisonment or both⁴² [FGN Official Gazette 2003: A461].

The Child Rights Act also includes provision prohibiting the employment of children in addition to relevant sections in the Labour Act which still remains applicable. Section 28:1a [FGN Official Gazette 2003: A466] prohibits forced or exploitative labour. The Act permits the engagement of children under the employ of his family on "light

work of an agricultural, horticultural or domestic character” and as domestic helps within their home or family environment. Section 30-32 focuses on the procurement of children for the purposes of prostitution and begging as well as other forms of sexual abuse including unlawful sexual intercourse. It prohibits the trafficking of children, within and beyond Nigeria for purpose of prostitution, hawking, domestic labour and begging. The penalty for offences relating to procurement of children for prostitution and others carries an imprisonment term of ten years. Sexual abuse including rape attracts life imprisonment. By 2006, only three States in Northern Nigeria – Kogi, Kwara and Niger had passed the Child’s Act law in comparison to 16 States in the South [This Day Newspaper 2010]. Conflict with certain tenets of the Islamic religion has been cited as cause of the delay.

The laboring child is a common feature of the economic landscape in Nigeria. Statistical information on the scope remains a challenge that echoes around the world because of the ‘invisibility’ of child labourers and thus the difficulty in collating data. Information available is that gleaned from no of children and other persons ‘rescued’ by the National anti-trafficking agency and law enforcement agents. Estimates are also made drawing from the prevalence and visibility of certain forms of child and forced labour. The 2002 data by the Statistical Information and Monitoring Programme on Child Labor Survey [SIMPOC] estimating the number of economically active children in Nigeria to be about 15million has continued to be recycled by scholars and NGO’s. Child labour is far from static and is characterized by changes effected by dynamic socio economic and political practices. Such lack of data which propels dependence on outdated statistics impedes effective result of scholarly research and shows the urgent need for more effective tools of research.

In-spite of the statistical handicap, efforts are still made by researchers, International Organizations, Non-governmental Organizations, law enforcement agents and NAPTIP through field surveys and interviews to grapple with the phenomenon. One is thus able to discern certain trends in the child laboring activities in Nigeria. Children in Nigeria are trafficked internally for domestic labour, begging, street peddling, agricultural work and prostitution. Boys are commonly trafficked for bonded labour, street vending and begging while girls are commonly found in domestic services, street vending and prostitution [United States Department of Labour 2007]. In Lagos, children are recruited by street gangs or ‘area boys’ as thieves and pickpockets [Smith 2012]. Ogun State in Western Nigeria is a destination point for boys trafficked for work in its stone quarries. In 2003, 194 children were rescued from a quarry near Abeokuta the capital of Ogun State by law enforcement agencies. The children are made to dig stones for use in construction sites in South Western Nigeria for a weekly pay of N50 [IRIN News 2003]. In-spite of media sensationalism, the flow of children from within and beyond the Nigerian borders into plantation farms and stone quarries in Western Nigeria continue unabated. Children from neighboring countries like Cameroun, Gabon, Burkina Faso, Benin Republic, Ghana and Togo to work as domestic servants and farm labourers.

As noted earlier, cultural and religious practices often serve as a conduit for children's exploitative labour. In Northern Nigeria, the 'almajiri system is one such example which endorses child pupils of the semi-formal Koranic education to engage in street vending to support their tutors and individual upkeep. Domestic work is a classic example of the exploitation of the traditional practice of fostering. The employers are regarded as guardians and mentors equipped to imbue the domestics with social skills and empower them to be better placed in society. The communal ownership of the child ensures that he/she is moved between family members and kin freely. During this time, the child's labour is also utilized. The transmission and acquisition of knowledge within familial setting is not always harmonious, familial relationship is based on paternalism, which may act as a framework for the exploitation of the very young when the family is engaged in the production of marketable produce [see Olga Nieuwenhuys, 2000]. Despite this, it is generally agreed that familial relations are non-monetised, based rather on kinship bonds [Meillassoux, 2000]. This traditional perception is problematic in the face of changing realities of the Nigerian family. The growing numbers of working mothers has expanded the market for domestic servants that have seen an extension beyond familial ties. Akwa Ibom State in Southern Nigeria has been noted as a major source of domestic servants.

Beyond the region Nigerian children are also trafficked to Saudi Arabia into prostitution and begging [Ndaguba 2005b]. The northern state of Sokoto is a major source of children taken to Saudi Arabia and the Middle East. Boys form a large percentage of the trafficked children, a lot of whom are subjected to homosexual abuse [The Sunday Vanguard 15th July 2001]. The sex trafficking of children to Europe and other countries of the West has historical antecedents that date back to the Colonial times. From the sex trafficking of children from the Ibo, Ibibio and Efik ethnic groups in Southern Nigeria, to the Colonial city of Lagos, Sekondi, and Kumasi in the Gold Coast and Cameroun, the migratory flow of children from Nigeria to varied industries that exploit their body and/or labour power in Europe and the Middle East as well as within the African sub-continent has continued, driven by poverty but also increasingly by personal desires of engaging in the consumerism space of global liberal economy.

Conclusion

In this paper, I have focused on human trafficking in its embodiment of sex trafficking and trafficking for forced labour in particular child labour. Child labour falls into the realm of forced labour when children's labour power are utilized in conditions considered to be hazardous and dangerous to their physical, mental and moral health. Narratives of trafficking are heavily punctuated with sex trafficking, which show a gendered dimension of the discourse. It may be that the high visibility of illegal female migrants in sex industries globally has drawn attention to that form of trafficking. The effect of this has been the conflation of prostitution with trafficking with no clear distinction between the two, thus simplifying an otherwise complex and multifaceted phenomenon.

In Nigeria, the discursive terrain has been influenced by Westernized notion of trafficking, chiefly the model espoused by the United States of America –criminalization and protection. Trafficked persons are discursively labeled ‘victims’ erasing any agency and legislative policies on human trafficking, drawing from this, focus on persecution of traffickers and rehabilitation of ‘rescued victims.’ Rehabilitation more often than not further sustains the dehumanization of trafficked returnees. They are labeled ‘victims’ but criminalized by the system which profess to protect them. The deportation process, the holding cells where they are kept before being moved to a shelter [which itself is in questionable state, more akin to a prison], the media sensationalism complete with pictures of the ‘returnee prostitutes splashed on newspapers across the country, criminalize trafficked persons rather than ‘protect’ or ‘rehabilitate’ them. There is need to recognize the diverse and complex landscape of trafficking which straddles both supply and demand ends and links to spin-off industries and the push and pull factors in policy decisions.

In recent times, globalised notions of childhood are becoming very influential and issues of child labour are being placed onto the political and public agendas of countries including Nigeria. The image of the global child more often than not clashes with lived in realities of the Nigerian child. At the same time, globalisation creates the space where this contestation is carried out; the promotion of cultural consumerism, individualism clashes with the contextual reality of widening disparity of wealth, intensification of poverty, and lack of welfare services. Traversing these spaces, children become drawn into illegitimate modes of exchange, into trans-national trade in drug and sex. Not only do children and youths provide a market for global consumerism, but they could be accessed as a pool of malleable cheap labour.

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