

# The Media and the Fight against Trafficking in Persons and Child Labour in Nigeria

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## Abstract

Trafficking in persons has been an age-long practice at both local and international levels and this has gained international attention with the 'Protocols to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children' which is also referred to as the 'Trafficking Protocol'. This United Nations' instrument has evidently removed the practice from the local to international domain of operation and therefore has become an issue of universal concern. However, the signing and domestication of this protocol in municipal laws of member countries particularly in Africa has not impacted significantly on the practice as cartels of human traffickers keep erupting even as the battle turns fierce against them. Child labour which is one of the main impetuses for the trade is still rife in many communities particularly in Africa. This paper peruses the causes of trafficking in persons, the resultant child labour, its dynamics and the media engagement in the fight against the scourge. It proffers some peacebuilding suggestions for the involvement of the media in the fight against human trafficking and child labour.

**Keywords:** Human trafficking, Child labour, Media, Peacebuilding, Human Smuggling

## INTRODUCTION

In Africa, it is difficult to extricate trafficking in persons and child labour from the communal culture of Africans which makes a child a communal possession. The family is widely extended and can include all that belong to a tribe or even an ethnic group where all claim common descent. It is common place therefore for a child to live with an uncle of a hard to trace familial connection and enjoy paternal love and care from such. At the same time, such a child might be subjected to severe conditions in form of child labour under the supervision of such an uncle. Whatever the case might be, the parents are supposed to appreciate the 'benefactor' and nothing to the contrary. An exposure to adverse condition early in life is supposed to strengthen the child and prepare him for the challenges of the future. The Yoruba would say, '*Omo a fi 'se wo ni ndagba, omo a fi oju ojo bi ko to gege*'. This culture has inevitably lent a hand to the child trafficking phenomenon in Africa.

On the other hand, in the West, the industrial revolution of the 16<sup>th</sup>C ignited a huge demand for labour-particularly cheap labour. This quest led to the Slave Trade that lasted over three centuries- 16<sup>th</sup>-18<sup>th</sup> C (Wikipedia) when young African young men and women were carted away to Europe and the Americas. This crop of young, virile and healthy males and female Africans were made to work on their masters' plantations under coarse conditions with their women and girls subjected to rape and other crimes to humanity.

Before the slave trade, British Kings, Earls, Lords and Bourgeoisie had retinue of servants working in their households at the mercy of their masters' whims and caprices. This culture is not alien to other civilisations in the world even in Africa.

## CONCEPTUAL DISCOURSE

### Human Trafficking

Human trafficking is the local or international trade in humans, especially for the purpose of sexual slavery, forced labour or for the extraction of organs or tissues for ritual purposes, including surrogacy and ova removal. According to Orji (2012), trafficking is a lucrative industry, representing an estimated \$32 billion per year in international trade, compared to the estimated annual \$650 billion for all illegal international trade circa 2010. The Trafficking Protocol, an international agreement attached to the UN Convention against Transnational Organized Crime (CTOC) entered into force on 25 December 2003.

### The Trafficking Protocol defines human trafficking as:

- (a) [...] the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, 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, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall

be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;  
 (d) “Child” shall mean any person under eighteen years of age (*Trafficking Protocol*),

### Human Smuggling.

In Human Smuggling, people voluntarily request or hire an individual, known as a smuggler as well as visa racketeers, to covertly transport them from one location to another. This generally involves transportation from one country to another, where legal entry would be denied at the international border. There may be no deception involved in the (illegal) agreement. After entry into the country and arrival at their ultimate destination, the smuggled person is usually free to find his own way.

### Differences between Human Trafficking and Human Smuggling

Human Smuggling	Human Trafficking
It is crime against State due to violation of immigration laws.	It is a crime against a person based on the violation of the victim’s rights through deceit or coercion.
It requires travel across border/s.	It can be perpetrated locally or internationally.
Smuggled persons are left free at their destinations to work and fend for themselves.	Victims are not permitted to move freely at their destination. They are forced to render services to their traffickers and their patrons.
Work experience may be menial but is controlled by the smuggled person.	Work is determined and controlled by the trafficker and is mainly in form of sexual exploitation.

### Field Observation: Tope Olaifa-2014

According to the International Centre for Migration Policy Development (ICMPD), the work or services of a human trafficking victim may include anything from bonded or forced labour to commercialized sexual exploitation. The arrangement may be structured as a work contract, but with no or low payment, or on terms which are highly exploitative. Sometimes the arrangement is structured as debt bondage, with the victim not being permitted or able to pay off the debt.

**Bonded labour** or debt bondage, is the most widely used method of enslaving people. Victims become "bonded" when their labour is demanded as a means of repayment for a loan or service in which its terms and conditions have not been defined or in which the value of the victims’ services is not applied toward the liquidation of the debt. This is an age-long practice in South-West Nigeria. Generations of such a victim might continue the servitude after him.

**Forced labour** is a situation in which victims are forced to work against their own will under the threat of violence or some other form of punishment; their freedom is restricted and a degree of ownership is exerted.

**Child labour** is a form of work that is adjudged to be hazardous to the physical, mental, spiritual, moral, or social development of children and can interfere with their education

Trafficking and commercial sexual exploitation of children can take many forms and include forcing a child into prostitution or other forms of sexual activity or child pornography. Child exploitation can also include forced labour or services, slavery or practices similar to slavery, servitude, the removal of organs, illicit international adoption, trafficking for early marriage, recruitment as child soldiers, for use in begging or as athletes (such as child camel jockeys or football players), or for recruitment for cults.

Trafficking in children often involves exploitation of the parents' extreme poverty. Parents may sell children to traffickers in order to pay off debts or gain income, or they may be deceived concerning the prospects of training and a better life for their children. They may sell their children into labour, sex trafficking, or illegal adoptions.

Going by the foregoing, trafficking in children can be described as the recruitment, transportation, transfer, harbouring, or receipt of children for the purpose of exploitation.

### Consequences of Human Trafficking/Smuggling

The 2006 armed conflict in Lebanon, saw 300,000 domestic workers from Sri Lanka, Ethiopia and the Philippines jobless and targets of traffickers, this led to an emergency information campaign with NGO Caritas Migrant to raise human-trafficking awareness.

Additionally, an April 2006 report, *Trafficking in Persons: Global Patterns*, helped to identify 127 countries of origin, 98 transit countries and 137 destination countries for human trafficking.

In December 2012, UNODC published the new edition of the *Global Report on Trafficking in Persons*. The *Global Report on Trafficking in Persons 2012* has revealed that 27 per cent of all victims of human trafficking officially detected globally between 2007 and 2010 are children, up 7 per cent from the period 2003 to 2006. Girl victims make up two thirds of all trafficked children. Girls constitute 15 to 20 per cent of the total number of all detected victims, including adults, whereas boys comprise about 10 per cent, says the Report,

which is based on official data supplied by 132 countries.

The Global Report recorded victims of 136 different nationalities detected in 118 countries between 2007 and 2010, during which period, 460 different flows were identified. Around half of all trafficking took place within the same region with 27 per cent occurring within national borders. One exception is the Middle East, where most detected victims are East and South Asians. Trafficking victims from East Asia have been detected in more than 60 countries, making them the most geographically dispersed group around the world.

There are significant regional differences in the detected forms of exploitation. Countries in Africa and in Asia generally intercept more cases of trafficking for forced labour, while sexual exploitation is somewhat more frequently found in Europe and in the Americas. Additionally, trafficking for organ removal was detected in 16 countries around the world. The Report raises concerns about low conviction rates -16% of reporting countries did not record a single conviction for trafficking in persons between 2007 and 2010.

Across the board, there has been a fundamental failure to address the reality of modern-day slavery –an estimated 21 million people are trapped in some form. Although, it is apparent that huge profits are being made from human trafficking at the same time, the ILO has estimated that global slavery is responsible for more than \$21bn of unpaid wages each year.

**Border:** A border is a designated crossing point, where formal control is exercised on entry and exit of persons and goods. It is also described as ‘a spatial boundary that defines sovereignty, citizenship, language, culture or religion’ (Pokoo, 2013). It is a boundary between political sovereign states. The most visible function of a border is to act as a *barrier* and an instrument to be applied for controlling illegal immigration human trafficking drugs and weapons and for collecting duties on legal goods (Babatunde, 2013).

**Border Management:** Border Management is all the strategies employed to enhance safe delivery of services at the border. It is about applying official rules, regulations, techniques and procedures to regulate activities and traffic within specific border zones. It involves the deployment of services of designated personnel of relevant security agencies like the Custom Services, Immigration Services, The Nigeria Police, NDLEA, DSS and Quarantine.

**Border Security:** Border Security is the measure of control exercised within border areas, which limits the movement of people, animals, plants and goods that enter and exit the country.

### **The Fight against Human Trafficking and Child Labour in Nigeria**

The government of Nigeria took the bull by the horn in 2003 by establishing the National Agency for Prohibition of Traffic in Persons and Other related Matters (NAPTIP) which came into being precisely on 26<sup>th</sup> August, 2003. The Agency which is the creation of Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 is the Federal Government of Nigeria’s response to addressing the scourge of trafficking in persons in Nigeria and its attendant human abuses in its entire ramification. It is also a fulfilment of her international obligation under the trafficking in persons’ protocol supplementing the Transnational Organized Crime Convention (TOC). Nigeria became signatory to the Transnational Organized Crime Convention and its trafficking in Persons Protocol on the 13th December, 2000. Article 5 of the said trafficking protocol enjoins State parties to criminalize practices and conducts that subject human beings to all forms of exploitation which includes in the minimum sexual and labour exploitation.

- a. To coordinate of all laws on trafficking in persons and related offences;
- b. To adopt measures to increase the effectiveness of eradication of trafficking in persons;
- c. To adopt witness protection measures; by these functions, the agency became the country’s focal point in the fight against trafficking in persons and its associated social problems.

There are about 21 penal provisions (Sections 11-29, 32 & 46) of the law prescribing different punishment ranging from twelve months (for an attempt to commit any of the offences) to life imprisonment for serious offences such as slavery, exportation or importation of girls under the age of 18 years for prostitution, etc. The definition of trafficking in persons by the law in its Section 64, as amended, is in tandem with the United Nations’ definition in Article 3 of the trafficking protocol. Exploitation is the key element of the offence, which is found in all the penal provision of the law.

The seriousness of the law is underscored by its Section 47, which provides for extra-territorial jurisdiction in the form of active personality jurisdiction. That is to say, any Nigerian or person granted permanent residence in Nigeria who commits any of the offences provided for in the law outside Nigeria is guilty of the offence and liable to be tried anywhere in Nigeria as if the offence was committed in Nigeria.

Victim protection is also central to the law. By virtue of the law, a victim of trafficking in persons offences is to be identified and treated as a victim and not as a criminal and, where the circumstances so justify, should not be detained or imprisoned. The identity and personal history of an identified victim should be protected from the public by investigators counselling officers and any other person(s) authorized to work closely with him/her. A victim is entitled to compensation and restitution from his/her exploiter(s) by way of a civil action. The responsibilities of the agency towards the victim of trafficking in persons are well set out in

section 50 of the law as amended. A fund known as Victim of Trafficking Trust Funds is also established wherein monies realized from the sale of confiscated and forfeited assets of a convicted trafficker would be paid into for the benefit of the victim. The law is a step forward in addressing crime together with its associated problems and NAPTIP is poised to enforce the law to the hilt.

With NAPTIP's 4Ps strategy, including Prevention, Prosecution, Protection and Partnership, huge successes have been recorded in the fight.

- Over 6,000 victims have been rescued and counselled.
- About 1,000 of the number are equipped with various skills. Some are in schools and others reunited with their families.
- 168 traffickers are convicted and
- 104 girls trapped in sex slavery in Mali were evacuated, counselled and rehabilitated
- Workshops, Seminars and open air rallies have been held in various states.

The ILO though an international organisation has a strong base in Nigeria. It has organised many programmes based on child labour in Nigeria. It recently concluded collaboration with Women Consortium of Nigeria (WOCON) in Ogun State which saw hundreds of street children in Abeokuta major markets back in school.

*Terre des Hommes* is another international organisation making tremendous impact on children trafficked into Nigeria for the main purpose of child labour. It was established to improve living conditions of the most vulnerable children in a concrete and sustainable manner. We work to enable children to grow up and develop in a safe environment. A huge number of child labourers have been rescued from their exploiters, sent to school or reunited with their parents even across Nigerian borders.

The Child Protection Network –a brain child of UNICEF is also making impact in the area of child trafficking and child labour. CPN has organised many capacity building seminars in Ogun State for its members and a good number of projects have been implemented particularly in Ogun State.

### **The Media**

The media refers to several mediums or channels used in an organized fashion to communicate to groups of people (Ross, 2002:4). The media comprises the radio, television, newspaper, music, soap opera, theatre, posters, traditional storytelling, comic books and other traditional forms of adopted by groups of people to as their medium of communication.

The Newspaper, radio and television dominated the news media particularly in Africa until early 2000 (Hilfarb 2012 <http://www.usip.org/publications/media-and-peacebuilding-trends-in-2011-and-looking-ahead>). A large percentage of the world public hung unto news emanating from these media particularly the electronic sources which transmit faster than the print. However, the active social media have introduced a new dimension into mass broadcast as the public itself relays its own information to his select but very wide audience. In this case there is no restriction to target audience as information is accessed through the Twitter, Facebook, SMS texts and Mobile Phone calls.

Of all the forms mentioned above, the news media or journalism is most crucial to peacebuilding because of its manner of operation. Journalism, according to Wikipedia, is the practice of investigation and reporting of events, issues and trends to a broad audience in a timely fashion (<http://en.wikipedia.org/wiki/journalism>). Along with covering organizations and institutions such as government and business, journalism also covers cultural aspects of society such as arts and entertainment. To Ross (2002:2), 'at its best, journalism is the safeguard of democratic governance'. This implies that journalism if judiciously practiced, applying professional standards of accuracy and balanced reporting, it is able capacitate the public to make well-informed decisions that could facilitate democratic processes (Olaifa, 2012).

### **Types of Media Interventions**

This section of the discourse would rely heavily on Howard Ross' apt classification of media interventions in conflict situations. They are presented as follows:

1. Rudimentary Journalism is a common intervention which involves initiatives to overcome and it is usually constrained by its lack of professionalism, diversity, freedom and technology. The implication of this is that this type of journalism is to say the least, crude and probably lacks a legal framework or professional principles guiding its operations. It manifests in an unskilled inaccurate conflict-obsessed and highly partisan media. It is often controlled by the state or special interests and it reflects narrow views or propaganda.
2. Responsible Journalism Development provides the standard approach to journalism which often goes beyond basic skills. This type of media often develops investigative, explanatory and specialist and well-informed analytical reporting.
3. Transitional Journalism is a blend of traditional journalism and modern, pro-active approach to media

intervention. It is a development in which there is a conscious examination of the journalist's role in peacebuilding and an effort to accomplish a pre-defined goal of aiding conflict transformation of society. It is called Peace Journalism in some quarters and it reflects the dual nature of the work of the journalist and the recognition of peacebuilding as a core value of the profession.

4. Pro-active Media-based Intervention is usually designed for a highly specific audience and purpose. It is mostly linked with outside intervenors, especially, security agencies and nongovernmental organizations. It operates mainly within conflict and post-conflict situations and in this case, in an environment rife in human trafficking, smuggling and child labour evolving projects and programmes to counter pervading practice with the aim of providing 'immediately practical information' on courses and dynamics of trafficking and child labour and alerting relevant agencies.
5. Intended Outcome Programming is aimed at transforming attitudes, promoting reconciliation and reducing conflict. It differs from conventional journalism and is often conducted by nongovernmental Organisations. The content of this is determined by its appropriateness to fostering peace. It uses all forms of relevant media like video, radio, posters, theatre and popular music to appeal to its target audience.

### **Role Expectations of the Media in Human Trafficking and Child Labour**

Certain fundamental roles have been ascribed to the media as a functional institution in the society based on its perceived relevance to developmental aspirations of any given society. Basically, it is to act as a conveyor, mediator, intermediary or translator between the public and the policy making elites i.e. government, private sector, business actors, opinion leaders and the general public especially grassroots citizens who may not readily interpret policies and agenda of the government. It is the duty of the journalist to appropriately interpret and convey the information to the public in a very clear, unambiguous manner.

It is in the context described above that Lippmann describes a journalist as a 'middleman'. Explaining further, he says, "The public is not smart enough [sic] to understand complicated, political issues. Furthermore, the public was [sic] too consumed with their daily lives to care about complex public policy. Therefore, the public needed to interpret, the decisions or concerns of the elite to make the information plain and simple".

The media should serve as watchdog over the elites in particular and the society in general. In this case, it should keep a close tab on their activities and give accurate and timely report of same to the masses. The public is therefore retained and sustained at the bottom of the power chain for they rely on the information that is handed down to them by the media. Winhurst (2002) describes it thus:

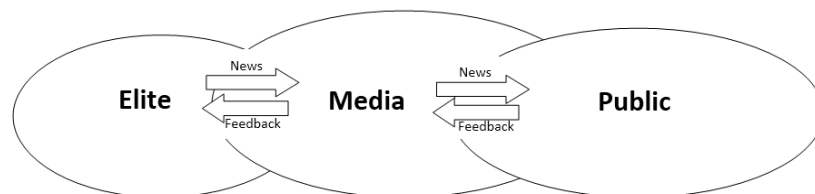
The need for information is parallel to the need for food, shelter, water, health care and so, it can cut right through the rumours and the hostile propaganda that often swirl around and through conflict situations. The population generally doesn't know what to believe. So if we can get out precise information to everybody, one clear story, which is truthful-that--is a net benefit to the peace process.'

( David Winhurst UN Staff 2002)

One of the primary functions of the media in peacebuilding as it relates to this paper is to educate the public on the causes, courses and consequences of human trafficking and Child Labour. This means that the media is expected to be a repository of a sort on the history and dynamics of any given conflict as it is in a good position to give reliable information about the conflict to the public. Given this scenario, the media is supposed to be active both at the background and at the actual theatre of trafficking and this makes the profession a delicate one.

Since the public relies on the media for information, it should not only acquaint itself with basic, vital and relevant historical facts of the conflict issue (trafficking) availed by thorough and extensive research but also by giving on-the-spot information on the conflict progression.

However the interaction is not a one-way gravitation. As the public relies on information to be abreast of government policies and how it affects them, so is the elite also dependent on feedback from the public to be able to assess the acceptability and workability of each policy to be able to reform, amend and expunge certain aspects of their policies where and when necessary. Feedback therefore, is a crucial element of conflict transformation; and the media is at the centre of it all. The relationship can be graphically presented as follows:



**Source: Tope Olaifa-2011**

The media is also expected to adhere strictly to professional codes and standards of impartiality, fairness and justice in reportage. In conflict situations, the media is confronted with variegated interests and views of differing parties to the conflict; It therefore runs the risk of biased report. It behoves the media therefore to be equipped with basic human trafficking analysis skills and very strong analytical minds which should protect him from the pitfalls of partiality that could compromise his integrity (Olaifa, 2013).

Intensive and extensive reportage of events would enhance public understanding of the issues involved in the conflicts. Additionally, the actors, the stakeholders and shadow parties to the conflict would be exposed. To this end, the media should pay attention to all the parties involved in the conflict, the perpetrators, the victims, the refugee generation pattern, the IDPs' movement, the vulnerable groups and their coping capacity and mechanisms.

The media should evolve a curriculum-based programming that would address issues germane to the conflict and endeavour to avoid personality based discussions in their programmes, This approach would effectively shapen peoples' perception of the conflict and mould their thought pattern. It can also effect a positive attitude to conflict as against the popular negative perception of conflict. Programmes that would build peoples' capacity in basic peacebuilding skills should be introduced so that peoples' awareness would be struck on how to prevent, manage, and human trafficking and child labour in their immediate environment.

### **Conclusion**

As the fourth realm of the estate, the media should bring to the fore, efforts of the government and the people to combat the menace of human trafficking within the country or at international markets. Activities of stakeholders, the NGOs, and other international statutory bodies, neighbouring countries and regional organisations' activities must be projected consistently, so that the public would be adequately informed and peace can be sustained in that sector of Nigeria's existence.

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