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## Internal Child Trafficking in Nigeria: Transcending Legal Borders

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### Introduction

64 children in a Mercedes Benz mini bus attracted the attention of vigilant policemen on the Onitsha–Benin Expressway. When the vehicle was flagged down by the officers they became more curious at the sight of the kids on bare-feet, without travelling bags and school uniforms to suggest that they were on an excursion. The policemen from the Delta State Command, suspecting child trafficking, promptly arrested the bus driver ... he was conveying the children, who are within the ages of 5 and 16 years... (Ogefere 2004:1).

This report reveals one of the greatest challenges facing children in a globalized world. Trafficking today is a global phenomenon as children are trafficked to and from all regions of the world. About 1.2 million children are trafficked without any gender distinction for various purposes ranging from forced labour in commercial farming, petty crimes, the drug trade, prostitution, domestic service and rituals within and across borders (Ogefere 2004:1). Nigeria is not exempted as the intensity and rate of child trafficking in Nigeria today is alarming to the extent that the phenomenon has attracted global attention.

Child trafficking became glaring in Nigeria when the world media focused on the mystery surrounding the *Etireno* ship, believed to be full of children between ages 3 and 13 being trafficked to Gabon on 17 April 2001 (UNICEF 2002). Since this incident, efforts have been made by concerned bodies, including local and international non-governmental organizations (NGOs) to stem the ‘slavery’ of children. But while focus has been centred mostly on external trafficking of children and youths, especially girls, and how to eradicate it, internal trafficking of children from villages to cities or from one town to another has either been ignored or seen as

'normal', and hence the trend of child trafficking has tilted towards an increase in internal (intra-state or rural–urban) trafficking. In addition, traffickers have also introduced new methods of trafficking children in order to avoid the prying eyes of the police, and the traffickers will not easily or quickly give up their profitable exploitation of vulnerable children.

Though not new, the idea of placing children with other families, relations and friends is an age-long cultural phenomenon. To Akinmoyo:

it was the norm during that period that every man and woman saw themselves as their neighbour's keeper, hence, it was a 'we' disposition to life rather than an 'I' disposition. It was normal to expect that in your absence, your neighbour will keep an eye on your possessions (Dayo 2004).

However, with pervasive economic crises coupled with the problem of debt and structural adjustment, leading to unemployment for a majority of citizens, a fall in living standards as well as increases in the costs of living, and extreme poverty of much of the populace, especially in the rural areas (Ogwumike 2001), what seemed to have been a cultural phenomenon has been exploited as a 'money-making venture whereby children are transported as commodities to be sold in the market, priced and exchanged for money like any other article in the market (Agbu 2003:2). Taking advantage of the impoverished status of rural dwellers and of the demand for cheap and malleable labour in the cities, middlemen (traffickers) in Nigeria are known to engage in internal trafficking of children from villages in Akwa-Ibom, Anambra, Abia, Cross River, Edo, Imo, Kwara, Ondo and Oyo States to the cities of Lagos, Port Harcourt, Abuja and Ibadan, to mention but a few, where most of the children are used in an exploitative manner.

In spite of the conventions and national laws guiding and protecting children from trafficking and exploitative labour as well as eradicating the use of children as slaves, such as the 1989 United Nations Convention on the Rights of the Child (UN) (UNICEF 1989), 2,000 Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (UN)(UNICEF 2002), Convention No.182 of the International Labour Organization on the Worst Forms of Child Labour (UN)(ILO 1999; ILO-IPU 2002), 2,000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime known as the Palermo Protocol (ILO)(ILO 2002) and at the sub-regional level, the Libreville 2000 Common Platform for Action and A Declaration and A Plan of Action against Trafficking in Persons (2002–3)(UNICEF 2002), 2003 Anti-Trafficking law and 2003 Child Rights Act both in Nigeria, children continue to be vulnerable in the hands of traffickers and '*ogas*' (masters) either as domestics, vendors, shop-minders or prostitutes. Since the phenomenon of child trafficking is one of the most extreme forms of child labour with little attention paid to it at the policy level and in research, this study therefore intends to explore the trends of internal trafficking of children in Nigeria with emphasis on child domestics, for the following reasons. The issue of child domestics

as one of the end results of internal trafficking is being ignored as unimportant when compared to the cases of prostitution, drug trading, rituals, trade in organs and street trading because child domestics are within the family household. Though they are mostly invisible, they suffer the most abuses. While they are made to work for long hours, they are poorly paid and particularly vulnerable to sexual abuse from men living within the household. And because they are hidden from public scrutiny, they are not protected by the law.

The research questions addressed in this chapter include the following: What are the dynamics surrounding the increase in internal child trafficking in Nigeria? What is the linkage between internal child trafficking and child domestic servitude? How does it take place? What are the kinds of activities engaged in by the child domestics? Who benefits more from internal trafficking and child domestic service? Is the legal framework instituted by the government adequate for alleviating this trend? If not, what are the possible interventions necessary to stem this trend?

### **Review of Literature on Trafficking and Children**

Generally, the recognition of trafficking as a challenge to the future of children and youths is recent, yet a wealth of literature exists on the phenomenon (Effah 1996; UNICEF 1998). The extant literature on trafficking has shown that the phenomenon is not limited to Nigeria or Africa but is a common feature of poor countries such as China, Central and South America, South-East Asia, Eastern Europe and Russia where people of all ages are trafficked into a life of exploitative and forced labour such as domestic service, commercial sex, labour and the drug trade (US Department of State 2000). This phenomenon endangers the lives of children around the world.

Starting with the international legal framework, the various United Nations (UN) and International Labour Convention (ILO) documents for protecting children do not exist merely because of the children's under-age status, which has been agreed to be 0–18 years, but more importantly because of the nature of the trafficking, exploitative labour and human rights abuses these under-age people go through and the effects of child labour on the children. The 1949 Geneva Convention emphasizes that mankind owes the child the best it has to give and that the child must be protected against every form of exploitation (Langley 1994:3–7). Studies by UNICEF revealed that child work is normal and consistent with the child's evolving mental and physical capabilities but becomes exploitative when it involves beginning full-time work at an early age; working too long hours; with inadequate remuneration; excessive responsibility at too early an age; hampering of psychological and social development of the child and the inhibiting of the child's self-esteem (UNICEF/NCRIC 1986:3). Similarly, ILO sees all work as capable of depriving the child of basic education, and that results in physical injury, jeopardizing the health, safety and normal development of the child as child labour. These factors have also been recognized in the works of Black and Ennew (Black and Ennew 1993).

In addition, Article 32 of the Convention on the Rights of the Child emphasizes the right of the child to be protected from economic exploitation and from performing

any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. Articles 9, 10, 11 of same document make provisions to combat the illicit movement of the child. While the Optional Protocol to the Convention on the Rights of the Child makes it a criminal offence to sell a child for profit, the ILO asserts that child trafficking is a practice similar to slavery and forced labour, and urges all countries to prohibit and eliminate trafficking of children under 18 years of age. Child trafficking is not only similar to slavery but is slavery to all intents and purposes, taking into consideration the ways and methods by which children are deceived and transported, the bargaining and exchange of money and the eventual use to which they are put, as prostitutes, plantation workers, street vendors, in the drug trade, for ritual purposes (which involves the total elimination of the person for economic gain) and human parts trading. All these practices also existed in the past in the slave trade. And while Dottridge maintains that child trafficking is not strictly speaking slavery, as the reality of today's slavery in most parts of the world is that adults and children fleeing poverty or seeking better prospects are manipulated, deceived and bullied into working in conditions that they would not have chosen, in conclusion, he accepts that such trafficked could end up as slaves (Dottridge 2002). The Palermo Protocol provides the legal means for the prevention, suppression and punishing of traffickers.

Nigeria, in its bid to adhere to the contents of the legislation, in 2003 domesticated the UNCRC and ILO by passing into law the Child Rights Act and the Trafficking in Persons Act. While the Child Rights Act, among other things, prohibits all forms of trafficking in persons including children, Mandate XI of the Trafficking in Persons Act states that buying and selling a person for a purpose attracts on conviction imprisonment for 14 years without option of a fine, and XIII states that traffic in slaves is liable to conviction to imprisonment for life.

While the emphasis of these legal documents has been on the rights of children and their protection from trafficking and exploitative labour, the impact of these provisions on the lives of trafficked children has not been felt as the trafficking trade in children continues both within and outside the country, with the middlemen either going underground or using covert means to avoid the law enforcement agencies. What this implies is that eradicating child trafficking transcends the domestic legal framework. Some are of the opinion that the increase in this phenomenon is of global dimensions. In one of his works Agbu argues that the commercialization of humanity, including children, has emerged as a result of globalization, which has created inequalities and inequities, and consequently the migration of the poor to the rich regions of the world (Agbu 2003:1–2). To him, therefore, the result of globalization includes the loosening of barriers and political boundaries, which organized criminal gangs have capitalized on to perpetrate many heinous acts including human trafficking for the purpose of forced and child prostitution, domestic servitude, illegal and bonded labour, servile marriage, false adoption, sex tourism and entertainment, pornography, organized begging, organ harvesting and other criminal

activities. This argument has also been corroborated by UNICEF UK in its report on child trafficking, though with emphasis on external trafficking. To UNICEF UK, globalization has opened borders as well as improved transportation and communication modes and, as a result, facilitated the movement of people to all parts of the world, especially to meet the demands of the labour market and commercial sex industry (UNICEF 2003:8).

Some view trafficking as originating from certain cultural practices in Africa, in which the upbringing of a child is everybody's responsibility, with children placed with other households and sometimes with wealthier relatives in the cities through direct contact with a child's parents. In return for the work performed at home, children receive education or vocational training. Many now tend to agree that this trend has changed over the years in tandem with changing global economic conditions. The neo-liberal policies of the West have led to the integration of rural subsistence economies into the wider urban metropolitan and world economy and are therefore disruptive (UNICEF 2001:206–7). The economic crises entrenched by these policies have brought about increasing unemployment, low educational levels of children, rural–urban migration, impoverishment of the masses and the break-up of extended family ties. The most affected are children who are forced to engage in hazardous activities such as child prostitution, living in the streets, drug abuse and other forms of child labour including child trafficking and becoming child domestics (Olawale 1997; Tzannatos et al. 1998:7–9). To Bass, 'children are often swept away by the economic needs of their households into different modes of child labour...' (Bass 2004:68–9). According to Human Rights Watch (2003:1), impoverishment in families has led some parents/relatives, willingly or desperately, out of deceit or the promise of a better life for them and their children, to give out their children in return for money without the knowledge of what would happen to the children. While some of these children are trafficked within the country, others are trafficked across the country's borders.

In some cases, economic factors and ignorance of risk play an important role in the trafficking of children for sexual exploitation. In this case, children are lured into Europe and the Middle East for sexual exploitation with promises of employment as shopkeepers, maids, seamstresses, nannies or hotel workers, but find themselves forced into prostitution upon arrival (UNICEF 2001). To this extent, Wennerholm argues that anti-poverty strategies or economic growth by themselves cannot eradicate the problem as long as the expanding middle-level countries such as Malaysia, Indonesia and the Philippines' financial capability and motivation for sex increases (Wennerholm 2003). Though Fitzgibbon argues that 'economic constraints may force families to give out their children for trafficking...', she does not want to totally agree that it is only the poorest families who are involved in the trade of giving out children to traffickers or middlemen for exploitative work. To her, there are other push and pull factors necessitating the trend. The push factors include exposure to the world outside the village through television or soccer clubs, and the pull factors include the demand for commercial sex exploitation, improvements in transportation

and communication. Olateru-Olagbegi (2000), Social Alert and International Organisation on Migration (IOM)(2002) assert that trafficking in children results from the demand for cheap, obedient, non-unionized child manpower and malleable labour in cities and plantations, inadequate and non-existent national legislation relating to the traffic, lack of strict border policies, the burden of informal economy and corruption. However, the International Labour Organization sees the increase in the pull for trafficked children as not being based on their cheap labour; rather it is because children are easier to abuse, less assertive, less able to claim their rights, work long hours with little food and accept poor accommodation. To the ILO, therefore, it is a matter of child abuse and exploitation.

An observation from the existing literature is that the major focus has been on external trafficking of children, with few studies devoted to the internal trend. Though internal trafficking, especially in Nigeria, has received broad media coverage in the electronic and non-electronic media, and considering the number of arrests made for trafficking in children, there has been little scientific research on the matter (Oloko et al. 1992; Ebigbo 2000). Hence, this study aims to examine the trends in internal trafficking of children in Nigeria with emphasis on child domestics, as this is directly linked to the broader phenomenon of child trafficking (Human Rights Watch 2004). Such information will help in advancing knowledge in the area and enable the formulation of appropriate policy directed at solving the problem.

### Conceptualizing Trafficking

Trafficking as a concept has existed as an age-old phenomenon but was generally used synonymously with trading. By the late sixteenth century, it graduated from a mere trading term to refer to the sale of illicit or contraband goods, usually, the sale of drugs and weapons across borders in order to make profit. In the nineteenth century, it became associated with illicit trade in human beings and their displacement across or within borders. However, the increase in the phenomenon in the twentieth century with the trafficking in human beings, especially children within the 8–17 age bracket, caused alarm around the world, especially in Nigeria. It became obvious that children are trafficked within and outside their countries for the commercial benefit of traffickers who sell them to end-users. The traffickers in turn use the children for domestic services, sexual gratification, agricultural work, trading and prostitution, such as the case of the *'italo'* girls scandal. *'Italo'* is the local slang for Nigerian girls who do commercial sex work abroad. Since this period, various international treaties have emerged to combat the trend in trafficking, especially of children and women within and across borders, but the definition of trafficking has been burdened with different contestations. The international concern has become imperative owing to the intensity and changes in the pattern of trafficking, which makes it a criminal offence, violating the rights of the child as established in the UN Convention on the Rights of the Child.

In 1994, the United Nations General Assembly attempted a global definition for 'traffic' as:

the illegal and underground movement of people through national and international frontiers most of them from the developing countries and from some mid-income countries whose final objective is to force women and young girls into exhausting or economic exploitation conditions to the benefit of recruiting touts, traffickers as well as other related illegal trafficking activities such as forced domestic labour, false marriage, illegal employment and false adoptions.

In the preliminary report prepared for the UN Special Rapporteur on Violence against Women:

women trafficking means any acts that have to do with the recruitment and/or transportation of a woman or (a young girl) in or out of the national borders with a view to working or serving under violence, abuse of authority or perverting position, debt servitude, disappointment or other forms of coercion.

This definition is not complete because it evades the trafficking for boys too. The International Labour Office (ILO), viewing trafficking of children as enslavement, defines child slavery as:

the recruitment and the legal or illegal transportation of a child – whether he agrees or not – across a border in general, but not always organized by an intermediary: parents, kinsman, teacher, procurer or local authority. At destination, the child is forced under duress or deceived into doing some works under conditions of exploitation (Muntarbhorn 1998:2–7).

In a study of child trafficking in West and Central Africa Bazzi-Veil (2000) defines trafficking as:

a whole process and conditions whereby a child is withdrawn from parental protection and authority to be considered as market value at any moment in the process. Thus, it is made up of any act consisting of recruiting, transporting, harbouring or trading of persons involving deception, constraint or force, debt servitude or fraud resulting in a movement of a child within or outside a country.

The Palermo Protocol provides international guidance to the meaning of trafficking. Article 3(a) of the protocol sees trafficking in persons to 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 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.

In continuation of this definition, ILO-IPEC sees trafficking as involving the combination of movement and exploitation of a child at some stage in the process, no matter when the exploitation itself takes place. Therefore, what transforms this chain of events into trafficking is what transforms the exploitation of the child who

is being trafficked, whether that exploitation occurs at the beginning or at the end of the trafficking process.

The definitions of trafficking can be simplified under the terms traffic, trafficked person and trafficker. Traffic includes any acts or attempts to committing acts involving the recruitment, transportation within or outside the borders, trade, transfer, reception or sheltering of a person, (a) involving deception, coercion (including threat or abuse of authority) or debt servitude; (b) in order to keep or detain such a person under involuntary servitude conditions (domestic, sexual), forced labour or under a situation of virtual slavery in a community that is different from the one in which such a person lives. A trafficked person is someone who is recruited, carried away, bought, sold, transferred, received or sheltered as described in the definition of Traffic, including a willing or unwilling child (defined by and in accordance with the principles of the Children's Rights Convention). A trafficker is a person who intends to commit, is an accomplice or accepts any act as described in the definition of 'traffic' (Social Alert 1998). In other words, *trafficked children are turned into commodities to be bought, sold and transported according to supply and demand*. The consequences faced by the affected children are similar to what occurred during the slave period in Africa. Such conditions include use of false promises, transport to a strange city (internal trafficking) or country (external trafficking), abduction, loss of freedom, deprivation of parental love and extreme physical abuse.

### Why the Emphasis on Children

The emphasis of international concern on trafficking and actions to combat it has been placed on the thrust that children are innocent, vulnerable, malleable, dependent and lacking the type of mature, intellectual, emotional and physical capabilities present in adults and therefore should be protected from dangers or from any movement that could make the children lose such privileges or their reference point (Boyden 1996:18–22). Though historically (Aries 1965, Veerman 1992), the concept of childhood has been perceived as a recent and western invention, in the past childhood was not given any special attention or, in the words of Jenks, 'childhood did not matter at all' (Jenks 1996). Then, children of the lower classes in the West were expected to begin working at a tender age, and children who successfully survived the first dangerous years of life were quickly forced to enter the adult world and become part of it. Labour was not thought to threaten child welfare but was believed to be the most effective means of child learning and socialization, especially among the children of the poor. According to Cunningham:

children were found to be working at the age of three or four. The birth of a child heralded the arrival of a future labourer and security for parents in later life. Children over the age of five and fourteen who were orphaned or found living in idleness or begging would be bound into agricultural service or craft (Cunningham 1991).

However, with the Reformation of the seventeenth century and the Industrial Revolution of the eighteenth and nineteenth centuries, attitudes towards children

changed in the West, and mass education was gradually introduced. In order to ensure that these variables are intact, the international community developed a framework of protection for children in the form of the United Nations Conventions on the Rights of the Child as the most comprehensive instrument. According to CRC, a child is 'every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier' (United Nations 1989).

This legal definition of a child is rejected in developing countries on the basis that it enshrines the ideas of the industrialized world and it does not reflect the true identity of the child. Sall argues that 'the material conditions necessary for the realisation of children's rights as embodied in the Convention on the Rights of the Child do not exist for many of the children born to poor parents in the developing countries' (Sall 2004:2–4). Increasing threats to survival require children to perform adult roles at tender ages in Africa, including Nigeria. At such ages, children are made to participate in productive activities rather than being protected, not as a means of contributing to their growth, but because such work is exploitative. It has been commonly argued that following the introduction of Structural Adjustment Policies, children have been taken out of the educational system and forced into adulthood at early ages through engaging in illegal activities such as prostitution, drug-hawking, street life and participation in socio-political violence in order to survive or being obliged to become breadwinners for their families. Under harsh economic conditions, the child becomes less valuable if he or she does not contribute to family labour needs. Therefore, being trafficked for an economic purpose could be an acceptable norm in such a society.

In addition, the legal definition of a child in Nigeria in particular, as generally in Africa, becomes difficult to operate given the nature of African culture, which values hard work at tender ages for growth purposes. This could be right from birth or after the performance of rituals as part of the traditional rites of passage, which is normally much less than 18 years, after which the child is perceived as an adult. As a result, using this supposed legal definition of a child in Africa is problematic for assessing who is a child, when childhood ends, whether work is regarded as exploitative for a 'child' and whether a child should be protected from exploitative work or not. Even though the Organization of African Unity, now the African Union (AU), came out with the African Charter on the Rights and Welfare of the Child in 1991, it has not been fully accepted and ratified by state parties partly because of the African 'concept of the child who does not have any right'. Though almost all states parties except the United States and Somalia have ratified the United Nations Convention on the Rights of the Child, child trafficking, child labour and abuse have increased on a wider scale.

In spite of the good intentions of these international legal documents in defining who a child is and how they should be treated, they have not been effective in tackling the issues of exploitation, abuse, sale of children, abduction and their use in demeaning ways. Further, in view of all the socio-economic and cultural challenges facing families, especially in Nigeria, it behoves us to know that children are the most vulnerable of all trafficked victims. At tender ages, they are taken from their

family either forcibly or through deception. They are moved to faraway places where they are exposed to unfamiliar people who ruthlessly exploit their tender bodies. In the process, their survival and development are threatened, and their right to grow up within a societal or familial safety net is denied. This suggests that in addressing the issues of abuse, trafficking and exploitation in the hands of their end-users, there should be transcendence from legal framework to issues of widespread social and economic concern.

### **Linkage between Internal Child Trafficking and Child Domestic**

Internal child trafficking derives from the movement of children from their locality to another by means of threat or use of force or other forms of coercion or deception or the abuse of power or of a position of vulnerability and of giving or receiving of payments or benefits on behalf of a child for the purpose of exploitation. Children are being trafficked internally for various reasons, which include: prostitution, use as domestics or shop menders, in drug trafficking, as dancers in pubs, as bonded labour, for false adoption, in organized begging and other forms of businesses, both legal and illegal. However, the major emphasis here is internal child trafficking for the purpose of domestic servitude in urban areas. As the name implies, child domestics are children under 18 years of age who work in other people's households, doing domestic chores, taking care of children, and running errands among other tasks (UNICEF 1999:3). Internal child trafficking in Nigeria for the purpose of being commodified as domestics is not a recent development as the cultural idea of child placement with relations and richer families as part of children's developmental process led to the commodification of children's bodies in recent years. The stereotyping of some ethnic groups in Nigeria as excellent in domestic work and other forms of labour started off the commodification of such groups as the Igede in Benue State and the Yala, Okuku and Okpoma in Cross River State. However, the effects of the negative socio-economic conditions of the late 1980s not only deepened but intensified the rate and level of the phenomenon in Nigeria.

Nigeria had a total population of some 108 million in the 1980s (140 million in 2007) and a child population of nearly 55 million. It is a multi-ethnic society with diverse cultures and languages. Nonetheless, there are common features among the groups, which can be generalized, and one of these features is the age-old fostering system. Fostering was the assumption of the rights and duties of parenthood by adults who were not the child's biological parents (without the latter surrendering their rights). Fostering provided opportunities for upward social mobility for fostered children (UNICEF 2001:13). This trend continued until the early 1980s. However, this does not mean it is not still present, for, as UNICEF argues:

to some extent, the principles of mutual solidarity still provide informal mechanisms of social security in times of adversity in a society where formal social safety nets provided by the state or employers have limited scope ... the continued practice suggests a certain resilience of the values associated with the extended family (UNICEF 2001:14).

However, with the collapse of world oil market in the early 1980s, coupled with a sharp decrease in Nigeria's economic revenue, the result was an increase in internal public debt from N4.6 bn in 1979 to N22.2 bn in 1983. External debt stood at N15 bn in 1983, and with a debt of N5 bn in trade payments and the country's inability to adjust to the decline in oil earnings, the basis was set for the country's debt crisis. The state's GDP, which fell by 2 per cent in 1982, recorded a further 4.4 per cent fall in 1983 and the number of those in poverty increased from 27 per cent in 1980 to 46 per cent in 1985 (Olukoshi 1995:158, 1991:3). This situation impacted negatively on citizens as wages and salaries were not paid to workers for several months at a time. Things were worse for the peasantry. Rural unemployment increased and families could neither sustain their homes nor sponsor wards to school (Ibeanu 1993:124–53).

Efforts by the international community to alleviate this negative trend culminated in the introduction of the Structural Adjustment Programme (SAP). Its stiff conditionalities included:

- liberalization of foreign trade
- currency devaluation
- cutbacks in social expenditure such as education, health and housing
- removal of food subsidies
- tight control of money supply, and
- privatization of state-owned enterprises.

The implication of the adjustment programmes for development has been negative. Economies that were already depressed and in dire need of being boosted were simply subjected to a rigid regime of deflation that destroyed the structures of growth and exacted huge social costs that reverberated in the political arena and triggered a cycle of instability (Olukoshi 2004:23–42). Instead of alleviating the suffering of the masses, SAP further worsened it, and the negative changes were felt by both rural and urban dwellers. The consequences included:

- increase in Nigeria's debt
- stagnant economic growth
- increase in agricultural inputs and fall in prices of agricultural outputs
- unemployment of the mass of the citizenry
- impoverishment of the people, and
- lowering of health, nutritional and educational levels for tens of millions of children.

According to ITCPR (2000):

There was no doubt that while structural adjustment had its salutary effects on economic growth, it lacked emphasis on development, which also accentuated problems of income inequality, unequal access to food, shelter, education, health and other necessities of life. It indeed aggravated the incidence of poverty among many vulnerable groups in the society.

Facing these economic crises, people both in the rural and urban centres had to explore survival strategies. As a result of the socio-economic conditions, fostering increased but, unlike in the traditional fostering method, it has been taken over by middlemen (child traffickers) who exploit the trust of parents for a profit. Once they reach the destination, children are placed with various employers who use them in all forms of service including domestic service. Though child domestic service is at the heart of child trafficking, child domestics are the most ignored, neglected and exploited group in their various engagements in homes. Therefore, there is a need for a detailed study of this phenomenon and also examine how this trend of exploitation can be reduced and in the long run eradicated.

### **Methodology and Limitation**

The study relied on two major sources for generating data, namely, primary and secondary sources. The study explored existing literature, especially United Nations documents and reports on trafficking, reports by international and local NGOs, newspapers, media reports and journal articles. However, the literature was sparse on internal child trafficking or on child domestics specifically.

The crux of the study was the primary approach, which focused mainly on qualitative information. The location of the research study was the Ijaiye-Ogba area of Agege in Lagos State of Nigeria. This area was easily accessible to the researcher because she resides there and it was easy to make contacts and engage informants in discussion. Moreover, Lagos is one of the major destinations of trafficked children in Nigeria. Many residents in this area work either with banks, old and new generation private telecommunication companies, the federal government and state civil service. Others are in the informal sector and most of them employ child domestics. After much effort, the researcher engaged in in-depth interviews with 26 child domestics and 12 child domestics' employers through purposive and snowballing samplings. Two of the child domestics were from Edo State, one from Anambra State, one from Benue State, two from Kogi, five from Oyo State, one from Ondo State, two from Ogun State and ten from Kwara State. The ratio of the child domestics shows that the phenomenon cuts across ethnic or social backgrounds, and also gender bias as two males were represented. In addition, two of the children were transported within Lagos area (though they are indigenes of Ogun and Ondo State respectively) and four of them migrated to Lagos with the assistance of employers' relations. The ages of all these children were between 10 and 17, with majority of them in the 10–12 age group.

While some of the employers were contacted directly, others were sourced through other family friends, making the snowballing method imperative. The last of this group was the traffickers of child domestics. There was access to four major groups of child traffickers. An in-depth interview was held with a trafficker in Agege. She is involved in bringing children from the eastern part of the country. Other in-depth interviews were held with three groups of child traffickers at Oyingbo, Ebute-Metta, Lagos State.

The interviews with respondents generally revolved around getting information on the:

- social backgrounds of the child domestics
- reasons for child domestics being trafficked from their environment
- modes of transportation from their environment.
- agreement between parents and the middlemen
- children's experiences as child domestics
- issues about their future
- prospects of leaving the job for the child domestics, and
- employers of child domestics managing without them.

The research study was not without its own hitches. To be sure, the fieldwork was hampered by certain limitations. The tight work schedule of employers and domestics made it cumbersome to engage them in discussions. The networks of traffickers made it difficult to interview them. Most of them denied ever being involved in the trade. Moreover, seeing a young lady researcher, they thought I was a police detective trying to spy on them. This negative perception by them hampered to a great extent the kinds of questions that could be asked. I had to devise other means such as requesting the assistance of elderly women to pretend they wanted child domestics in their homes. It was then that the research study could be carried out on the traffickers.

### **Recruitment of Child Domestics: The Child's Family/Middlemen/ Employer Nexus**

The reality on the ground shows that internal child trafficking is rife in Nigeria, both from one state to another and from rural to urban centres of the same state. However, as this has been taken as normal, little or no serious attention had been paid to it either in the form of research, policymaking or implementation, until very recently when several NGOs began to show the world the risks children involved pass through, the abuse suffered by them at the hands of their employers and the mortgaging of the nation's children's future through the cycle of slavery in which they are engaged.

The data on the issue of trafficking children for domestic service has been classified into three types, namely: (1) process of recruitment of child domestics; (2) moving of child domestics from their homes, villages and states to cities, and the challenges involved in trafficking the children (old and new trends), and (3) the necessity of such employment and its impact on the lives of affected children, families and society as a whole. The whole process involves four major actors: the trafficker; the parents or guardians of trafficked children; the trafficked children; and the employers of trafficked children.

### **Process of Recruitment**

Findings on the process of recruitment of child domestics have revealed that what used to be a family procedure of placing children with family members and relations for better upbringing of such children has turned out to be a purely economic

transaction, for either 'push' or 'pull' factors, involving the family of the child to be recruited, the middlemen and the people who employ the trafficked children. The process of recruitment varies according to the area and conditions engendering such recruitment. However, the end result is the same.

Interestingly, the middlemen who are engaged with the task of trafficking children are also indigenes of the villages involved. The process of recruitment for trafficking can be classified into two broad groups. In the first group, some of the middlemen live in the villages and come to the cities with agricultural products such as pepper, okro, vegetables and fruits, and in the process, bring some children with them. They have friends in the cities who act as intermediaries between them and the employers of such children. This category of people forms a powerful network resembling the international traffickers (though not as sophisticated as international trafficking syndicates). The second group of traffickers comprise traffickers who are solely responsible for travelling to the rural areas, recruiting children, bringing them to the cities and placing them in households. This trend is not limited to traffickers or intermediaries in the western part of Nigeria but is common too in the eastern part. Though recruitment is seasonal, that is, traffickers only travel to the villages during festive periods such as Christmas, New Year and Easter, and the id-el Maulud, Id-el Fitri and Id-el Kabr festivals to bring children, recruitment of children from the rural areas also depends on demand in the cities, turning children into commodities that are purchased in the market when needed.

Whether as a network or sole intermediaries, the process of recruiting children for domestic work involved visiting the villages of which they are indigenes. As claimed by some intermediaries interviewed, the process of recruitment requires them to move from one household to another, identifying volunteers, who could also be a relative or friend. Some of the parents are deceived into giving out their children for placement in the cities with 'rich people' with the promise that their children would be clothed, fed and paid for their labour services. Moreover, on occasion, children could be encouraged by news about 'the beauty of Lagos' and in the process unknowingly become victims. However, this is not common. Though this system still persists and thrives at a high rate – as one trafficker put it, 'man must survive in these hard times – the worsening economic conditions in Nigeria generally force some parents to put pressure on the traffickers (who are already known in the village) to take their wards with them to the city where they could earn a living, relieve the burden at home and also remit some money through it.

Another finding is that at times relations of employers assist substantially in sourcing children in rural areas, in agreement with children's parents or guardians, but without the victims' agreement, for bringing to the city in order to work as domestics. To an employer of child domestic:

My mother brought the child along with her when she travelled to our home town in Edo State. Before then, I had one domestic servant from Benue State. She travelled for Christmas, and though she promised to come back, she did not. You see, as a banker, I faced a lot of problems when she left. I told my mother about it when she

came around on a visit and when she travelled home, she found one for me. I think I prefer this one because she is from my place.

Transporting these children varies depending on the number of children to be trafficked and the persons involved. In most cases, children to be trafficked are gathered together at a place. They could be as few as five and more often up to 25–30 as revealed by child domestic respondents. According to a child domestic:

Mama Seun brought us in a truck carrying agricultural products such as firewood and vegetables from my village in Kwara State. Though I did not count everybody in the truck, we were about 10–11 children inside. While some of us sat on the firewood, others sat on the floor of the truck carrying some of the vegetable on their laps. Two other women were also inside with us. I am sure that their goods were also in the truck and they were going to sell them in Lagos.

At this point, children are boarded in vehicles ranging from cars, buses and trucks depending on the number of children to be trafficked. One child domestic interviewed was transported to Lagos in a public bus from Aba and when they got to the employer's house, the trafficker claimed the transportation cost, which the employer gladly refunded. For those taken in buses and trucks, their conditions are pitiable. To a child domestic:

We did not have any breathing space in the truck and we did not eat anything until we got to the Mama's house in Oyingbo. By the time we alighted from the truck, we were extremely tired and my legs were aching.

The children are kept either in the intermediary's or trafficker's house until employers are found for them, who either come to size up the child she wants, such as was practiced during the slave period in Africa, or the child is taken to the employer's/customer's house by the trafficker herself.

From there, the child starts his or her work as a child domestic or in the popular parlance, '*domestic servant*', and can expect to be recycled over the years among different employers until he or she becomes a full-grown adult. Although most children are voluntarily handed over to middlemen, there have been increasing numbers of cases of children being kidnapped for trafficking. In Sokoto State, kidnapped children were sold for amounts ranging from N50,000 to N100,000 (taking N140 as equal to \$1 US ) to be used as labourers or for ritual purposes (Komolafe 2001:12–16). This brings to the fore questions about the reasons for trafficking of children for the purpose of domestic work in the cities, far from the families' environment, as against Article 7 of the United Nation's Convention on the Rights of the Child, which stipulates that the best place for a child is his family. This is because the best environment for meeting a child's developmental needs is the family (Apfel and Simon 1995:11). Responses from the various respondents, including the traffickers, child domestics and employers of labour, vary but they can be grouped under push and pull factors.

### **'Push' Factors Responsible for Trafficking in Child Domestic**

'Push', as the word denotes, is the ability to use sudden or steady pressure in order to move someone or something forward and far way from oneself or to a different position. Push factors therefore means reasons or variables propelling or urging someone to move away from his or her place to another. Interviews with the respondents revealed various push factors such as poverty, peer pressure and socio-cultural practices.

#### **Poverty**

I am 10 years old. My home town is in Ilorin. I came to Lagos with the assistance of 'Mama' after the Ileya festival to work as a child domestic. ... My mother is a trader and my father is a full-time farmer. He goes to farm every Sunday evening and comes back home every Saturday evening. We are ten in the family and my parents have no money. So my mother said that I should come with Mama and other children to Lagos where I will work and have money like my senior sisters. ... I knew the type of job I was coming to do because my sisters have been doing it for years.

I am 12 years old from Isiala Ngwa North local government Area of Abia State. My father has 2 wives and 13 children. We are six from my mother's side and she is a full-time housewife. The children do not attend school but we follow our father to the farm every day and sell the produce of the farm. After selling the produce, the money realized is not always enough to take care of all of us. We are really very poor. Well, I don't know how they met, but when Aunty came to our house, my mother called and told me that I would be following her to Lagos where I will work and get plenty money to take away their sufferings. I'd never been to school.

You need to see the conditions of living of some of these people in the rural areas. We are doing it to help them out of poverty.

The above statements by three child domestics reveal that entrenched poverty is a major push factor encouraging trafficking. The extent of the poverty shows in the fact that 69.2 per cent of the children have never been to school and their ages are between 10 and 14 years and 30.8 per cent dropped out of primary school owing to the inability to pay their school fees, or death of either parents or breadwinners of their homes. Out of frustration and the need to get out of poverty, some poor families give out their children to be trafficked for exploitative labour such as domestics with the hope that they would be fed, clothed and taken care of to achieve a better life. This hardly happens as this group of children are recycled yearly into different households and made to pass through the same exploitation until they have their own families and in some cases, their children take it up and the phenomenon becomes a vicious cycle. The frustration and desperation that lies beneath parent's willingness to give a child to traffickers are worsened by a lack of understanding of the dangers of such willingness.

Further inquiries into the lives and engagements of child domestics' parents reveal that out of the total number of child domestics interviewed, 73 per cent have both parents alive and living together, 7.7 per cent have single parents (mothers),

11.5 per cent live with their fathers and stepmothers, and 7.7 per cent do not have both parents and live with relations. The parents are engaged in different kinds of employment, with farming taking the highest proportion for their fathers and trading the highest proportion for their mothers (see Table 6.1).

**Table 6.1: The Engagement of Parents**

Mothers' employment	Percentage (%)	Fathers' employment	Percentage (%)
Housewives	3.8	Farmers	50.0
Farmers	27.0	Traders	11.5
Traders	34.6	Bus drivers	7.7
Load carriers	11.5	Hunters	3.8
Hair weaving	7.7	Butchers	3.8
Cloth weaving	3.8	Cleric	7.7
Food vendor	7.7	Not in any job	15.4
Plate washer	3.0		

The parents live off these trades and professions and the incomes earned are inadequate to fend for the whole family. Moreover, given the strong desire for and attachment to children; the role of women, especially in the rural areas, as child-bearers; the excessive desire of men to have a male child in a female-dominated home; and the competition that arises in polygynous homes about the number of children to bear by co-wives, the tendency to have many children within limited resources is high. Hence, parents say they have no option but to allow their children to engage in exploitative labour as long as the returns of such labour will flow back to them. Poverty in the rural areas is just one of the results of bad governance and poor economic management in Nigeria.

The UNCTAD Report on the Less Developing Countries (LDCs), of which Nigeria is one, states that the incidence of extreme poverty has continued to increase at a fast rate and that if the trend persists, the number of people living in extreme poverty in the LDCs will increase from 334m people in 2000 to 471m in 2015 (CROP Newsletter, 2004:1). This is in line with the result of the Federal Office of Statistics that the number of people living in poverty rose from 28 per cent of the population in 1980 to 46 per cent in 1985, reduced to 43 per cent in 1992 and rose sharply to 66 per cent in 1996 (FOS 1999). As explained earlier, since the collapse of the oil boom, there has been a dramatic increase in the incidence and depth of poverty in both rural and urban areas of Nigeria. The features of poverty such as poor access to public services and infrastructure, unsanitary environment, illiteracy, ignorance, poor health, insecurity and social exclusion, and low levels of incomes have trapped the poor in a vicious cycle, affecting their coping capabilities. This trend is most rife in the rural areas where over 69 per cent of the population lives below the poverty line. This is especially so among families whose household heads are engaged in agriculture (UNICEF 2001:22–4). This does not in any way exclude the incidence of poverty in the urban centres. With the increase in migration to the

cities, and a large population competing for limited resources, urban poverty rose from 3 per cent in 1980 to over 25 per cent in 1996. Two of the child domestics confirmed this negative trend as their parents live in Lagos (Ajegunle and Ikorodu), but the poor conditions of living led to a third party introducing them into the child domestics' profession.

### ***Peer Pressure***

Peer group pressure could also be identified as a factor aiding child trafficking. Some of these children became involved in domestic service because of pressures from friends and the middlemen who trafficked them to Lagos. To Beatrice:

When my town girl came home, she told me a lot of good stories about Lagos, the kinds of food she ate and I could see her new clothes; and I was encouraged to join her since I had dropped out of school and there was no money at home. I joined them in the next trip.

When I asked my housemaid (Adija) how she got to know Mama (middleman), she said that when Mama came to the village and met her selling wares, she called her in order to buy from her and also used the avenue to advise her to come to Lagos where she would have better money. She asked for her parents' home and in the evening, she called at the house and talked to them, and that was how she found herself in Lagos working in her house.

The conditions in the children's home made them succumb to pressure from friends and traffickers. This is to how former victims as friends have become perpetrators, though not for their own economic benefit, but they have increased the traffickers' income as well as help to reduce the poverty levels of a friend's parents/guardians.

### ***Socio-cultural Factors***

To some of the families involved in allowing their children to be trafficked to other parts of the country, especially Lagos, to live with unknown families, they see the move as part of the culture of the past, and which is still relevant today. To Adamo from Kwara State, her first time to leave her parents for Lagos was filled with fear of the unknown. She cried because she was going to be leaving the family for the very first time and her mother told her:

Don't cry, it is part of the culture. I, your mother, also stayed with my father's family in Kaduna when I was younger and that was where I learnt this trade (selling of food items). When you live with people outside your home, it makes you strong, wise and exposed. It is just training you for your future task. Anyway, I have learnt many things, work, work and work and suffering. Though my parents are poor, I never went through this suffering at home.

This shows the persistence of the belief that either through ignorance or the economic situation the current trend of trafficking children by middlemen for profit is taken as part of the socio-cultural norm of olden days. It also brings to the fore parents' consciousness in the enslavement of their children. To this group of parents, education

means nothing since they too never accessed it. The impact of this is a whole generation graduating into paupers and slaves.

These 'push' factors have contributed and continue to contribute in no small measure to endangering the lives of many Nigerian children, especially those in rural areas into a life of suffering and slavery.

### **'Pull' Factors**

To 'pull' means to bring something along behind one while moving or to use force on (something), especially with the hands, in order to move it towards oneself or in the direction of the force. Therefore, pull factors simply mean factors necessitating the demand for child domestics. From the interviews, factors responsible for demand in trafficked children for the purpose of domestic service include: the demands of the formal and informal sectors of the economy; the burden of work at home; perceptions about children and cheap labour; and security purposes.

#### ***Demands of the Formal and Informal Sectors of the Economy***

With the growth in the formal economy in cities, many governmental institutions and parastatals, private companies and corporate organizations were established to meet the needs of the state and cater for the welfare of citizens. These institutions have codes of conduct guiding those employed, and one of these codes of conduct addresses the issue of resumption to work, which is normally before 8 am and closure of work, which is normally 4 or 5 pm everyday. Some workers even work on weekends. To comply with resumption time in the office and also see to the care of the family necessitates extra hands to assist with home duties, which often include taking care of children, cooking and other household chores. Coupled with this challenge are the hitches encountered after closing of work everyday such as traffic jams, car faults and inaccessibility to transportation, so that most women get home in the evening or at night. To many of these women, getting home only to cook and see to the welfare of the home is stressful, hence, the need for a domestic help. To a female banker:

My sister, it is not easy at all. I leave home before 6 in the morning, I live at Ogba and my office is at Lagos Island, and I have to resume by 7.30 am. With the two small kids and no other assistance, how do I cope? Don't forget that we need the money in this house to feed, clothe and do other basic things. How do I get it if I do not take my job seriously? I don't want any boss to give me query. You know that accumulation of queries is a step to being sacked, and because I don't want it, there should be somebody to assist in the home, especially to take care of the children.

To another:

I only employ the grown-up ones between 14–20 years because of the nature of my job. I need them to assist me at home and to take care of my little children. The phenomenon cannot be eradicated because of the condition of the country.

In addition, the informal sector is not left out in the demand for child domestics. Most women, in a bid to make ends meet when faced by severe economic conditions,

set up shops and other places of work where they also need the assistance of younger ones to make sales. In my interview with a young girl at Idumota, I was made to understand that a lot of girls who stay on the roadsides and call passengers to purchase goods in their shops are employed as domestics. Though some of them are particularly recruited to assist in the sales of goods, and while some of them live within Lagos and move from their own homes every morning and return in the evenings, others stay with the employers. Others are recruited not only as shop vendors at the market but to act also as domestics at employers' homes. This could also apply to other markets in Lagos State, whereby children go through double exploitation and abuse.

### ***The Nature of Work at Home***

Related to the above explanation is the nature of work at home. Most women complained about the burden of household chores being responsible for bringing about the employment of child domestics. Unlike in the olden days where siblings of couples could migrate from the village to stay with the latter, and also assist in household chores while the couples took care of their educational or vocational needs, the situation today is different. The problems now include spouse's relations monitoring a wife's activities; refusal to respect or abide by instructions from a wife; a wife's siblings being unable to cope with staying in the home; the difficulty of managing all the needs of such relations, which may include clothing, feeding, education or vocation and other needs; wives or spouses disagreeing with either of the in-laws staying in their homes; and fear by a wife or actual occurrences of spouses having intimate or sexual affairs with a wife's female siblings; all these have constrained couples from bringing relatives into their homes. Since the burden of the household chores continues to be heavy, couples have to seek alternatives, that is, employing a non-relation, most probably a very young child or a teenager, whose labour is cheap (compared to relations or adults), who can be easily abused, will abide by instructions, is less assertive, unable to claim rights, and who is not related in any way to the wives or spouses.

Most employers believe in the malleability of child domestics, even though they may not be very productive in the home. They assert that such children can be trained from tender ages to adhere to their own rules and regulations. This is in comparison to adults who are already mature and do not take to instructions easily because they are used to their old ways of doing things. Moreover, they believe that employing a child saves money. Wages paid to young children in Nigeria are currently between N2,500 and N3,500.

### ***Security Factor***

A very interesting finding from employers on why they employ children and not adults as domestics in the home is that employing children will give them a sense of security. In this argument, female adults may end up taking over their homes or snatching husbands (this phenomenon happens in some homes), which a small girl

who is just growing into puberty will not be able to do. Therefore, they can go out and come back anytime of the day having the assurance that their homes are secured from ‘*husband-snatchers*’. To a businesswoman:

Having a housemaid is a necessity these days, especially considering the nature of job to be done in the office and at home, but the age of the person also matters. These days, most grown-up girls are threats in our homes. They are easily lured by men with some fears instilled in them and some money. Therefore, to avoid such dangers, it is better to go for teenage children who can be overlooked by men.

Leaving homes early and returning late at night means that the bulk of the work at home is done by employed domestic servants. Such work includes taking care of the children, going to market, cooking for the whole family, general cleaning of the home and running errands, thereby usurping the roles of the wives. These blurred distinctions about the role of wives and domestic servants have sometimes included taking over of the former’s sexual role in the home. This problem has not only led to insecurity in most homes, it has also brought about cases of separation and divorce among couples.

### Complementary Needs

From the above, trafficking of children for domestic work is a complementary phenomenon. While the children or parents of trafficked children and traffickers need the employers of these trafficked children for economic benefits and as part of survival strategies, the employers need the children for labour benefits. It becomes a symbiotic relationship. Can we then begin to see this phenomenon simply as a form of child abuse or as a trend that might continue as long as there is monetary exchange, especially so in the face of lingering increase in economic hardship in Nigeria with consequences for the already rural poor? No less than 92.6 per cent of the employees believed that domestics are a necessity and cannot be eradicated because the household chores must be done and the economic situation in the country has not improved. In addition, it is a way of supplementing family incomes for traffickers and parents of trafficked children. Though all the child domestics interviewed agreed that they are paid, the money is paid to the ‘Mama’ who brought them, and the exact amount paid by their employers is hidden from them. However, of all the child domestics interviewed, only two of them were being sponsored by their employers to access education, both at the secondary level. To those employers, they believe that since the children refused to leave like others, and have shown their intention to stay, they decided to assist their parents by sponsoring their education.

When the child domestics were asked whether they would prefer to leave domestic service work and live with their parents, most of their responses were negative. Here are some of their answers:

- I want to learn fashion designing as my senior sister who just got married. If I stop this job, I will not have money to learn fashion designing (Basirat, 10 years old).

- I agreed to do this job because of the situation on the ground. If I stop this job, it will affect my family but my God is a miraculous God, He will surely assist us (Dorcas F, 16 years old)
- My madam is very wicked but if I leave this job, what will happen to my parents? It is because they are very poor that they told me to come to Lagos (Beatrice, 12 years old).
- If I go home now, it is to go and suffer because the money from farm proceeds is not always enough to take care of all of us (Charles, 13 years old).
- I will like to stay in Lagos, work for some time and open my own supermarket like my boss (Aminat, 12 years old).
- I enjoy my stay with Mummy Seun because if I go back to my parents' place, I will not see this kind of enjoyment like the food, television, the house is very beautiful and the clothes too (Fausat, 10 years old).
- If I had not stayed with Mummy Ola, I wouldn't have had the opportunity to go to secondary school (Shade, 17 years, staying with her employee for four years now).

These responses do not show that they all enjoy the kinds of services they render. Some of the the children said, 'I do all the cleaning in the home'; 'I sell kerosene, wash plates and do general cleaning'; 'I do normal job generally and then we go to the market where she is selling'; 'though you will eat, she will curse you and send the remaining of the curses to your parents'; 'I do all the household chores including backing and feeding the baby and also being sent on errands'; 'I don't sleep until late in the night and have to wake up early the next day'. Apart from all these comments, they also suffer other effects to the extent that when a girl was asked about her experiences, she kept quiet for some time and just burst into tears. Some could not say anything because of the presence of the inhabitants. These assertions reflect that the symbiotic relationship is more beneficial to one party (employers) than the other, especially considering the meagre amounts the children were paid monthly, which have to be shared between the traffickers and parents of trafficked children.

Placement or fostering of children in the traditional set-up resulted in the exploitation of most of the children who were turned into slaves in the homes of and for foster parents and their children either from the start or over time. Therefore, it could only be imagined the extent of exploitation of children who are formally trafficked for labour services. Some of the children trafficked for domestic purposes end up being sexually abused, among other forms of exploitation they pass through. They suffer physical injuries resulting from beating; work for long hours; suffer social trauma resulting from exclusion, starvation, lack of access to education and vocational training, and unequal treatment; and suffer psychological trauma resulting from not being a family member. There has been the wide-held notion that trafficking has thrived so far because it is less risky. But this is a wrong perception given the dangers children face. Apart from road mishaps that could occur, the way children are packed in the buses or trucks impacts negatively on their health, and the way and rate they are moved around different households can only create mental instability.

### State Interventions and Policy Implications

Child trafficking for any purpose is defined and condemned in the United Nations Children's Rights Convention and other documents relating to the protection of the child from trafficking, hazardous and exploitative labour. As at today, Nigeria is a signatory to the 1989 United Nations Convention on the Rights of the Child, 1999 (No. 182) ILO Convention, and 2000 Optional Protocol to the United Nations Convention on the Rights of the Child respectively. Articles 11, 12, 32, 34 and 35 of the UN CRC, among others, state clearly the right to protection of the child from exploitation, abuse and trafficking. The Child Labour Convention (No. 182) regards selling and trafficking of children as 'the worst forms of child labour', and its accompanying Recommendation (No. 190) provides additional and powerful weapons for the elimination of all forms of child slavery (Haspel and Jankanis, 2000:3-7). Moreover, the Optional Protocol regards trafficking of children for whatever purpose as being one of the worst forms of child exploitation. ILO recommendations constitute hazardous labour under the Worst Forms of Child Labour Convention includes work that 'exposes children to physical, psychological or sexual abuse' or involves 'particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer'. Under these criteria, most child domestic work would constitute hazardous labour.

In a bid to incorporate the international legislations into the national law, the federal government under President Olusegun Obasanjo established the Office of the Special Assistant to the President on Human Trafficking and Child Labour in 2001. The Office was charged with:

- co-ordinating all the activities of Human Trafficking and Child Labour in the country and making direct input to government in form of policy formulation;
- advising the President on issues relating to human trafficking and child labour;
- initiating and developing programmes of action, which could help alleviate the problem;
- co-ordinating and collaborating with all governmental and non-governmental organizations involved directly or indirectly with human trafficking and child labour;
- gathering relevant data and information on issues relating to human trafficking and child labour;
- influencing governmental policies, which could serve as a means of eliminating and reducing the scourge of human trafficking and child labour;
- working with international organizations with specific interests in the subject area (Akinmoyo 2004).

In order to make these responsibilities more effective, the law created the National Agency for the Prohibition of Traffic in Persons (NAPTIP). This was established as a means of enforcing the Trafficking in Persons (Prohibition) Law Enforcement and Administrative Act 2003. The agency has responsibility for investigating and prosecuting offenders, counseling and rehabilitating trafficked children and public

sensitization.<sup>1</sup> The responsibility of NAPITIP is to arrest, prosecute and sentence to *'life imprisonment'* anybody caught trafficking children and women. NAPITIP gives Nigeria leverage over other West African neighbours as being the first country in the region to establish an anti-trafficking agency and enact anti-trafficking laws. To further entrench the United Nation's CRC in national legislation, the Child Rights Act was instituted in 2003, made possible by the efforts of various NGOs, prominent among them being the Women Trafficking and Child Labour Eradication Foundation (WOTCLEF), founded by Titi Abubakar, wife of the current Vice-President of Nigeria, as well as international organizations such as UNICEF.

Evidence has shown that enforcement agencies have been effective in arresting some of the culprits. Apart from daily reports in the newspapers, television and radio, my observation of the traffickers during the interviews revealed that either most of them were aware of these laws or some of them had been caught, therefore putting others on the defensive. This was noticed in the first interview with the first set of traffickers, where they gathered as food sellers who were not willing to reveal their identity as traffickers of children for domestic service. Though they are known for bringing children from the villages, especially from Oyo and Kwara States, they all denied ever knowing anything about domestics and were directed to see somebody else, who happened to be their chairperson or head of the network. Immediately when some questions were put to her, she reacted by saying:

I don't understand what you are saying. I don't know anything about child domestic business. I have never been involved in bringing any child. It is only when they bring them from the villages that we dispatch them to those who need them... what is the big deal about child domestics? I was also a child domestic when I was young. It does not kill but makes somebody wise. But as I said, I don't know anything about how they get to Lagos. You can only ask me questions about what I sell....

However, despite the legal guarantees as provided for by the national and international communities, and the punitive measures laid down by national legislation, the traffic is still going on as the demand for domestics intensifies and as economic conditions worsen in the country. This is a serious violation of the basic rights of children such as the right to freedom of opinion, the right of not being forced to do any work likely to harm one's physical and mental health, the right to keep contact with one's parents, the right of not being separated from one's parents unwillingly, the right to education, the right to freedom and safety and the right to free movement.

### **Challenges to Policy Implementation**

Effective implementation of this legislation has been hindered by certain factors, among them the increasing numbers of arrests of culprits forcing traffickers to design new ways of transportation to avoid the attention of law enforcement agencies. For the groups of traffickers, including the woman from the East, they confirmed that owing to the pressures from law enforcement agents, they have created new ways of operation or trafficking. Some of the new trends include: conveying children in goods-carrying trucks and buses, therefore giving the impression that they are

travelling to sell goods; not conveying them in full view as before; as the woman from the East said, she travels to bring children in accordance with an order (either boy or girl or one or two children) made by customers (the employer of the children), and she does not take more than three at a time, in order to convince enforcement agents that they are her own children. Two conclusions can be made from these new trends of transporting trafficked children since the inception of the anti-trafficking laws. First, traffickers make considerable profits from this transaction; hence it becomes difficult for them to stop it. Second, the number of children trafficked every day shows that there is a high level of demand for domestics in the cities, especially Lagos, therefore creating a boom business for traffickers or middlemen.

In addition, it is a known fact that most of the decision-makers and enforcers of the law have child domestics in their own homes. For these groups of people, it will be rather difficult to prosecute traffickers because the law can be bent to suit their own intent and purpose. In research study carried out by one NGO, it was gathered that most of the law-makers and enforcers in Nigeria were not aware of any law known as the Child Rights Act.

Systemic corruption is also on the increase at the level of trafficking. Instead of criminalizing traffickers and prosecuting them, law enforcement agencies release them on bail and they continue to perpetuate the crime. Since the coming into force of the Child Rights Act, which makes the sentence for those involved in the selling or abduction of children 25 years and the Trafficking Act, which puts the sentence as life imprisonment, at the time of writing, of the number of people that have been arrested, none has been prosecuted or found guilty in a court of law.

A major obstacle to the success of policies is the lack of public awareness, especially of trafficked children and the parents of the dangers of trafficking, and the inability to report traffickers and abuse in the hands of employers to the law enforcement agencies. This has made it possible for this type of child abuse to continue.

Another obstacle to policy implementation is that much of the emphasis by the state and NGOs has been on issues of external trafficking or trafficking across Nigerian borders. Even when there are reports on internal trafficking, attention is removed from child domestics because of their invisibility. In other words, in spite of the laws and documents on anti-trafficking and forms of child labour, there are no specific laws protecting child domestics in Nigeria.

All these factors have undermined the efforts of the government and the international, national and local NGOs.

### **Conclusion**

From the foregoing, it will be realized that internal trafficking has many faces, one of which is the issue of child domestics. This dimension is important because internal trafficking of children for domestic service appears benign when compared to other cases such as trafficking for the purpose of prostitution, street trading, labouring on farms, rituals and trade in human parts; yet it is the most exploitative and harmful form of child trafficking. The traffickers or intermediaries who indulge in moving

children are not the only culprits here, for parents of trafficked children and the people who employ them, including the lawmakers and law enforcement officials in Nigeria, are also guilty. While the needs of the cities are high, including economic needs, therefore necessitating the high demand for child domestics, the current and lingering economic crisis in the country, which feeds into inaccessibility to education, poor infrastructure, impoverished subsistence living, the high incidence of illiteracy and recrudescence of bad old practices such as placing children into unknown families has increased the rate of the phenomenon. This shows that tackling the problem is not a one-way process but entails concerted efforts by the state and non-state actors at intervention on both demand and supply sides.

In terms of suggestions, efforts that should be made by the state, and non-state actors include:

- First and foremost, the most crucial effort, which will also aim at the root cause of the phenomenon, is alleviating or in the long run removing poverty mostly at the rural level. Nigeria is not devoid of poverty-alleviation programmes. The earliest poverty alleviation programmes started 1972 with Yakubu Gowon's National Accelerated Food Production Programme and the Nigerian Agricultural and Cooperative Bank, entirely devoted to funding agriculture, especially in the rural areas. This was followed in 1976 with Gen. Olusegun Obasanjo's 'Operation Feed The Nation'; in 1979, by Shehu Shagari's Green Revolution; in 1983, by Gen. Muhammadu Buhari's 'Go Back to Land Programme'. Ibrahim Babangida's era saw the establishment of the Directorate of Food, Roads and Rural Infrastructure (DFRRI), establishment of the Peoples Bank of Nigeria, community banks, National Directorate of Employment (NDE), Better Life for Rural Women Programme; then in 1983, it was the turn of the Maryam Abacha's 'Family Support Programme' and 'Family Economic and Advancement Programme' among others. In recent times, under the Peoples Democratic Party-led government, it is now the Poverty Alleviation Programme (PAP) encapsulated under the National Economic and Empowerment Strategy (NEEDS) of 2004 and the State Economic and Empowerment Strategy (SEEDS). Suffice it to say that though all these interventions were well-intentioned, their execution left much to be desired. The increasing poverty rate in the country is evidence of the failure of most of these programmes.

Therefore, any programme aimed at alleviating and eradicating poverty must not only target the basic needs of the rural areas, because poverty in Nigeria is largely a rural phenomenon, but there should be total commitment from every actor to ensure that it is successful. This holistic approach should include creating employment for all unemployed graduates or school leavers; providing a welfare package for the old and vulnerable, including children and women; diverting much of the emphasis of national budgets from defence to other forms of human security; and provision of basic social amenities such as water, health facilities, shelter and electricity supply to reduce rural-urban

drift. Moreover, since the poverty ratio in the urban areas is competing with that in the rural areas as seen from the discussions and the placing of children from the urban centres into other households owing to poverty and also encouraging traffickers from thriving by trafficking children, efforts should be directed at embarking on similar projects for urban dwellers.

- Second, the government should resuscitate programmes such as the Better Life for Rural People and the establishment of community banks. The Better Life for Rural People should actually target the rural poor and involve introduction to and training on best practices such as the use of modern agricultural techniques, and modern resources to enhance productive capacity. The community banks should also be established to give out soft loans to rural people to embark on projects on their professions. This project should have a human face, and there should be total political will on the part of successive governments to make it work. There should be a monitoring agency to oversee the kinds of projects the loans are used for and to administer the progress of such projects to deter people from using the loans for wrong reasons such as marrying more wives or organizing parties. The end result will be increase of rural incomes.
- Third, education should be made compulsory and free from primary to secondary levels. This will avert the claim by parents that poverty hinders children from attending school. The 'free' part of the package includes non-payment of school fees till the end of secondary education and provision of materials such as books and desks at little or no cost at all. At this point, it will also be important to say that employment opportunities should be provided for secondary school leavers and university graduates, thereby creating alternatives to child domestic labour.
- Fourth, there should be concrete sensitization of rural dwellers and advocacy at the community level to show the dangers inherent in the cultural practice of placing children with wealthier families for the purpose of fostering and their rights in case of malpractice. This is because access to the law by rural dwellers is problematic. This programme should transcend broadcasts on the television and radio but should include house-to-house education and dramas at the community levels on the dangers associated with child trafficking and domestic service, and other purposes of child trafficking such as ritual purposes. The sensitization programme should be done in villagers' languages in order to put across the message and the themes should totally capture the essence of the programme. In addition, the programme should also educate on the need to embark on family planning, that is, the need to have children that can be adequately taken care of by rural families.
- Fifth, it was realized from the interviews with employers that it will rather be a difficult task eradicating child domestics because of the demands of urban living. The government should provide codes of conduct that will guide and protect children with monitoring welfare agencies. The codes of conduct

should emphasize the age at which a child can be employed for domestic purposes, the conditions under which the child should work, including the compulsory education, health and social needs of the child, payment of parents directly rather than via intermediaries, and constant checking by welfare officers on the well-being of such domestics. Every domestic employed should be registered with the proper state agency. It will be important to say here that corruption at the level of welfare officers makes it necessary to put in place legal sanctions against malfeasance on their part.

- Sixth, welfare packages should be given in all organizations to women, especially, mothers, to create opportunities for them to have enough time to take care of the home front and especially their children. Without this measure, trafficking of children for the purpose of domestic work will increase at a more unacceptable rate, and the efforts of the government and non-governmental organizations will be futile.

The study shows that the legal framework has not been effective in stemming the nature and rate of trafficking in Nigeria. This, however, does not mean that it should be thrown out, for the fact remains that it forms the first step in protecting victims as well as prosecuting culprits. Therefore, efforts should be focused on ensuring strict adherence to these laws and regulations. To make the legal framework a success, corruption, which has eaten deep into the fabric of the Nigerian system and has become an institution on its own, should be strongly tackled.

Legally, there is confusion in the legal framework on internal and external trafficking as much of the concentration is on external trafficking. Therefore, internal trafficking should be given special focus and attention should be paid to trafficking for the purpose of domestic service with the aim to punishing traffickers and employees for the exploitation and abuse of these children. Moreover, trials of culprits should be expedited and culprits should be punished accordingly.

The basis for the combating of internal child trafficking lies within the structural and precipating factors that bring about trafficking for domestic purposes. The fact that children pass through danger right from their states of origin to the destination sites should spur state and non-state actors to ensuring that all the processes of trafficking are checked before Nigeria becomes a 'slave trade' country.

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