University of Nebraska - Lincoln
DigitalCommons@University of Nebraska - Lincoln

Second Annual Interdisciplinary Conference on Human Trafficking, 2010

Human Trafficking Team

10-1-2010

Enforcing the TIPPLEA Act to curb emerging trends in Human Trafficking: A study of the baby trade in South East Nigeria

Ijeoma Okoronkwo
National Agency for the Prohibition of Trafficking in Persons (NAPTIP), ijeomaokoronkwo@yahoo.com

Anigbogu Maduka
National Agency for the Prohibition of Trafficking in Persons (NAPTIP)

Follow this and additional works at: http://digitalcommons.unl.edu/humtrafconf2

Part of the Inequality and Stratification Commons

Okoronkwo, Ijeoma and Maduka, Anigbogu, "Enforcing the TIPPLEA Act to curb emerging trends in Human Trafficking: A study of the baby trade in South East Nigeria" (2010). *Second Annual Interdisciplinary Conference on Human Trafficking, 2010*. Paper 25.
http://digitalcommons.unl.edu/humtrafconf2/25

This Article is brought to you for free and open access by the Human Trafficking Team at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Second Annual Interdisciplinary Conference on Human Trafficking, 2010 by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

ENFORCING THE TRAFFICKING IN PERSONS (PROHIBITION), LAW ENFORCEMENT AND ADMINISTRATION ACT (2003) AS AMMENDED

TO CURB EMERGING TRENDS IN HUMAN TRAFFICKING.

- *A Study of baby sales in south East Nigeria*

Okoronkwo Ijeoma and Anigbogu Maduka

PRESENTATION OUTLINE

- BACKGROUND
- OVERVIEW OF TRAFFICKING IN PERSONS SITUATION IN NIGERIA
- EMERGING TRENDS– BABY SALES
- CURBING THE TREND

BACKGROUND

- The federal republic of Nigeria is located in West Africa and shares land borders with the Republic of Benin in the west, Chad and Cameroon in the east, and Niger in the north. Its coast in the south lies on the Gulf of Guinea on the Atlantic Ocean.
- Nigeria has 36 states and a federal capital territory, all grouped into six geopolitical zones.
- Nigeria is a source, transit and destination country in the crime of TIP

BACKGROUND

- In 2000 and2001 respectively, Nigeria signed and ratified the United Nations transnational crime convention and its supplementing protocol on trafficking in persons of Dec, 2000.
- The protocol was subsequently domesticated by, the parliament of the federal republic of Nigeria, as the trafficking in persons prohibition, law enforcement and administration Act (2003) as amended.

BACKGROUND

- The law established the National Agency for the prohibition of traffic in persons and other related matters (NAPTIP) in August 2003 as a multidisciplinary agency and Nigeria's focal point in the fight against trafficking in persons Act in Nigeria,

The Agency is empowered by law to coordinate the fight against human trafficking in Nigeria through the arrest, investigation and prosecution of human trafficking offenders; rescue, counsel , rehabilitate and reintegrate victims of human trafficking into functional members of their community; carryout public enlightenment about the dangers of human trafficking as well work with other agencies to curb human trafficking in Nigeria.

Overview of human trafficking situation in Nigeria

- Trafficking in persons as defined by sec. 64 of the TIP, Act is "all acts and attempted acts involved in the recruitment, transportation within or across Nigeria borders, purchases, sale, transfer, receipts or harboring of a person involving the use of deception, coercion or dept bondage for the purpose of placing or holding the person whether for or not in involuntary servitude (domestic, sexual or reproductive) in false or bonded or in slavery like condition'.

Overview of human trafficking situation in Nigeria

- Victims are recruited into a wide range of exploitative activities including begging, domestic servitude, internal and external sexual exploitation, prostitution and exploitative labour practices
- These acts were anticipated and provided for in the trafficking in persons law enforcement and administration Act (2003) as amended in 2005, with appropriate penalty attached to the crimes ranging from 12months imprisonment for an attempt to commit any of the offences to life imprisonment for offenses like slavery, exportation or importation of a person under 18 years for prostitution.

Overview of human trafficking situation in Nigeria

- The legal frame work for intervention in the crime of human trafficking in Nigeria addresses the three P's in the combat against human trafficking, :
- Prevention of trafficking
- Protection of victims of trafficking
- prosecution of trafficking offenders, and the all important 4th p; partnership.
- PREVENTION –
- With the establishment of NAPTIP, the government of Nigeria commenced an aggressive and integrated prevention programme, which involve awareness creation, public education, research work into the root causes of human trafficking and emerging issues in human trafficking,

Overview of human trafficking situation in Nigeria

- PROTECTION
- The Agency is empowered to provide counseling and recovery services to victims of human trafficking; Medicare and psychological assistance, counseling and skill acquisition programme, voluntary return and reintegration with their communities. In this regards, NAPTIP presently has 8 victim's shelter at the Headquarters and 7 zonal officers while states are also encouraged to establish shelters for rehabilitation of victims.
- PROSECUTION
- The TIP Act 2003, vests the power to arrest, search and seize as well as to prosecute offenders on NAPTIP,
- So far about eighty nine (89) human traffickers have been sentenced for crimes of human trafficking in Nigeria.

Emerging trends

- For several years, human trafficking for sexual and labour exploitation dominated discussion on the issue of human trafficking.
- Early country response in Nigeria was focused on this understanding of the crime.
- The establishment of NAPTIP operations in south east Nigeria, unearthed a booming trade in babies with features of a syndicated crime of human trafficking.

Features of the crime

- unapproved social homes tagged ‘Baby farms’.
- Recruitment and harboring of pregnant teenagers
- Victims usually forcefully confined.
- Deceived into giving out their babies in illicit adoption at birth for financial benefit.

The baby trade in south east Nigeria

- The area of this study is the south east zone of Nigeria, comprising of five states – Abia , Anambra, Ebonyi, Enugu and Imo states. Abia state is bounded by Akwa ibom state , Rivers and Cross river state in the South South zone, Imo and Ebonyi state in the south east zone
- Imo is integrated and bounded all the south eastern states, Enugu is bounded by Benue state in the north central zone, Ebonyi state is bounded by cross river state, within 80 km to the boundary of Cameroun
- Population of this study is made up 200 pregnant teenager victims of human trafficking rescued by NAPTIP in its activities in the south east zone of Nigeria
- Design is demography
- Sample and sampling study of 200 teenagers
- Sampling technique is purposive, though the sample population is located in Enugu state, it is a balanced representation of the five states of the south east.

The baby trade in south east Nigeria

- The respondents are victims rescued from different states in the area under study

- Limitation of the study:% of the state of origin may be faulty, especially due to penchant for falsehood on the part of the respondents to conceal their identity.

- Generalization of the study; this study is conducted in the five states of the south east, Nigeria but their findings may be generalized.

- Purpose of the study; to identify the push and pull factors behind the emerging trend of sales of babies and how the trafficking in persons (prohibition)law enforcement and administration act (2003)addresses the crime.

Findings

- ***Level of education of respondents affected the information about sexuality at the disposal of the victims.***
- 90% of respondents in this study were educated up to the junior secondary school(9 years of schooling).
- 85% of the above never received information about sexuality and birth control in school
- 65% got little information about birth control from their friends

- ***Sales of babies is fueled by cultural practices, which stigmatize pregnant unmarried ladies in south east Nigeria***
- 83% of respondents are sure that their family will reject their pregnancy
- 85% do not want their babies traced to them for fear of stigmatization
- 10% of respondents were placed in social homes by their family to escape stigmatization.

- ***Lack of communication between parents and their children on sexuality is a major contributor to increase in teenage pregnancy and baby sales***

- 80% of respondents never discussed birth control with their parents
- 65% received information on sexuality and birth control from their friends
- 83% did not confide in their family about their pregnancy
- 80% do not plan to discuss their pregnancy with their family

- ***Children from weak structured families are more likely to be involved in baby sales.***
- 80% of respondents in this study claimed to be orphans and partial orphans
- 67% were from broken homes
- 70% contributed to family finances

- ***Criminals take advantage of the poverty and ignorance of victims of human trafficking to enslave them.***
- 30% of respondents had planned to abort their pregnancy at the unapproved homes but were convinced to keep their pregnancy and sell their baby at birth by operators of the homes.
- 40% were approached by agents of the unapproved social homes
- 60% of respondents did not have prior knowledge of this trade before their encounter with these homes
- 98% of respondents were promised boarding facilities to escape stigmatization

Poverty- a driving force?

- 83% of the respondents are in the unapproved homes without the knowledge of their caregivers
- 80% agreed that they were happy with the promise of payment for their babies
- 70% were happy to be rescued by NAPTIP but worry that they may not receive the agreed payment.
- 60% of respondents had sold previous babies and think that this is a good way to make money

Control mechanism

- 86% of respondents did not like the condition at the unapproved social homes
- 80% were beaten when they tried to leave.
- 92% of respondents were forced to remain in the unapproved homes .
- 73% of the victims were abused sexually as a form of control
- 40% of respondents claimed that victims who wanted their babies, were given exorbitant bill by operators of the unapproved homes

Curbing the trend

- In line with Article 9 of the Palermo protocol which requires states to implement comprehensive measures to prevent human trafficking, the trafficking in persons (prohibition) law enforcement and administration Act (2003) as amended empowers NAPTIP to
- Adopt measures to increase the effectiveness of eradication of trafficking in persons.
- Investigate and prosecute human traffickers
- To enhance the effectiveness of law enforcement agents to suppress traffic in persons.
- Take charge, supervise, control and coordinate the rehabilitation of trafficked persons.

Curbing the trend

- The emerging trend of sales of babies, has all the basic elements of trafficking in persons as seen in the
- Activity
- Means
- Purpose.

  The crime is driven by:
- Poverty
- ignorance
- Lack of understanding of the processes of legal adoption.

Curbing the trend

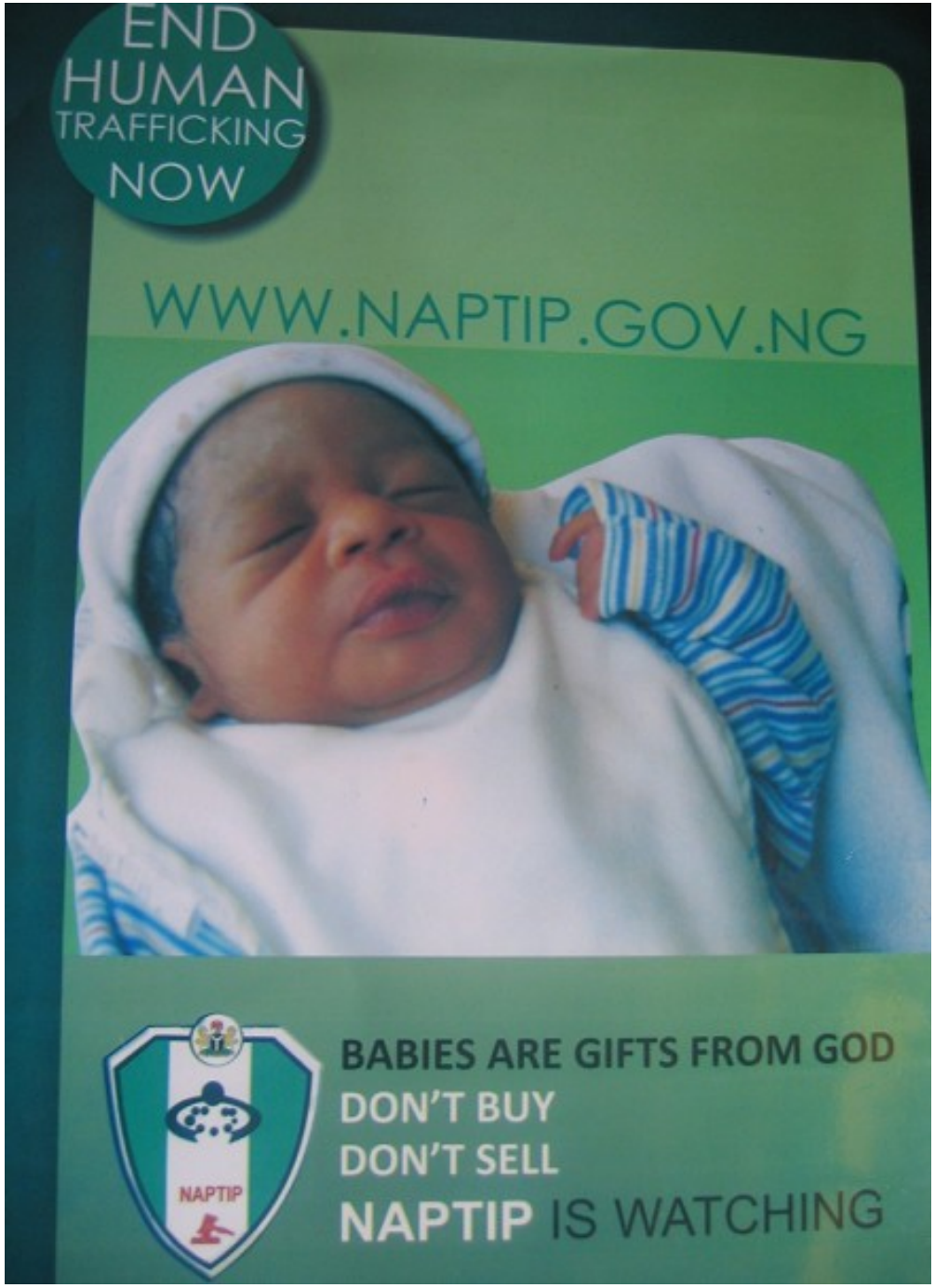
- The compromise of adoption processes by the social welfare
- Lapses created by lack of approved government owned social homes and motherless babies facilities.
- Lack of knowledge about adoption processes prevent law enforcement Agents from detecting this crime.
- These lapses were noted and capitalized on by criminal networks

Curbing the trend

- Rescue of victims of human trafficking from unapproved social homes, is the first step in the combat of this evil trade in babies
- Educating the social welfare about the crime of human trafficking and assisting them to set up social homes for the care and support of pregnant teenagers
- Education of law enforcement agencies about the provision of the law on the trade of babies to increase their knowledge about the crime and their effectiveness in eradicating the crime
- Public education about the processes of legal adoption to reduce ignorance

Curbing the trend

- Recovery and counseling of these victims of human trafficking is one of the cardinal mandates of NAPTIP
- Rescued victims are taken into shelter and counseled
- Family tracing, rehabilitation and community reintegration
- Investigation and prosecution of offenders; so far over 20 cases have been investigated and 9 cases charged to court;
- Three of these cases have so far been concluded and the offenders sentenced.


END
HUMAN
TRAFFICKING
NOW
WWW.NAPTIP.GOV.NG
NAPTIP
BABIES ARE GIFTS FROM GOD
DON'T BUY
DON'T SELL
NAPTIP IS WATCHING

conclusion

- Partnership is very vital in curbing the emerging crime of baby trade, therefore NAPTIP has taken steps to educate and incorporate, the social welfare, education authority and law enforcement agencies in addressing the lapses in protection of pregnant teenagers and enforcement of the Trafficking in persons (prohibition) law enforcement and administration (Act)2003 as amended.

www.naptip.gov.ng