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2.15. Victims of human trafficking, including forced prostitution

COMMON ANALYSIS

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Trafficking in human beings (THB) is defined in the EU Anti-Trafficking Directive as: 'The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.'

This profile focuses on persons who have been subjected to trafficking, irrespective of whether exploitation has occurred. For some additional information on trafficking see the section [Article 15\(b\) QD](#).

COI summary

[Main COI reference: [Trafficking](#)]

Nigeria is a country of origin, transit and destination for victims of trafficking in human beings. Nigerian victims are exploited within and outside Nigeria. Human trafficking in Nigeria affects women, men and children. Sexual exploitation of women and girls is a widespread problem. Male Nigerians, most often initially smuggled, may also become victims of trafficking/modern slavery during their journey towards Europe. Individual cases of Nigerian men exploited in the European sex industry have also been identified. Nigerian boys have also ended up in a combination of domestic servitude and sexual exploitation. Other types of trafficking exploitation affecting Nigerians include forced labour, 'baby factories', forced criminality, forced begging, organ harvesting, 'drug mules', etc.

Madams and members of cults are central actors to the process of sex trafficking. Insights about the relationships and power dynamics between madams and organised crime groups are different. Family members or acquaintances could also be involved. Traffickers from Edo used the native justice system which relies on oaths and lucky charms/fetishes (juju) to seal the debt agreement with trafficking victims and to guarantee a victim's obedience before departure. The decision by the Oba of Benin to curse human trafficking, curse all priests who perform oaths between sex traffickers and their victims, and nullify all previous juju oaths did not put an end to sex trafficking from Edo state. A shift towards other coercive tactics to guarantee the allegiance

of victims to their traffickers, including the threat and/or use of violence, has been reported.

Many poor and lower/middle-class inhabitants of Benin City consider having a family member abroad to be the sole mechanism to achieve social mobility. Sex trafficking in itself is not necessarily perceived negatively in Edo State. In many cases those who are victims of sex trafficking do not consider themselves as victims either. These women, however, do not always seem to fully grasp the duration of the exploitation and the actual amount of the debt they will have to repay.

Attitudes towards trafficking victims who have engaged in prostitution depend on the extent to which they have gained money and sent remittances back home. In case of 'unsuccessful' returns of victims of sex trafficking, the actual response of families and communities varies. One source indicated that the majority of women and girls were welcomed or at least accepted by their families. Another source indicated that the extent to which a victim would be stigmatised or welcomed also depends on prior relations between the victim and her family members. Cases in which returned trafficking victims, including minors, were physically attacked, mocked, insulted or bullied by family or by community members have been reported. The added burden of a child can result in more hostile attitudes by family members.

Victims of trafficking who return to Nigeria may end up in (forced) prostitution again. Returnees may be dropped back into the epicentre of Nigeria's sex-trafficking industry, often deeper in debt and with fewer options than before they left. Threats and violence against victims and their families usually serve the goal of forcing them to repay the outstanding debt. Financial hardship and shame could also incite trafficking victims to try to travel to Europe again. Sources also reported cases in which family members tried to re-traffic returnee victims.

While the fear of reprisals by trafficking networks is significant, insight into the actual prevalence and nature of reprisals by trafficking networks remains limited. However, most sources recognised that family members have been subjected to threats and violence, especially when victims would still be in Europe and outside the sphere of influence of their madams. A toughening in the attitude of traffickers towards victims who failed to repay their debts has also been witnessed. Furthermore, there have been indications that traffickers have started using victims' children to put pressure on them to repay debts.

The Nigerian government at the federal and state level, particularly in Edo State, has made various efforts to address trafficking in human beings. Positive developments in 2020 aimed at the creation of a new National Action Plan against Human Trafficking and the creation of multiple state task forces on human trafficking. The Nigerian National Agency for Prohibition of Trafficking in Persons (NAPTIP) is Nigeria's principal agency for combatting human trafficking. NAPTIP's main tasks are to suppress human trafficking and investigate and prosecute its perpetrators. A source indicated that an improvement from prior reporting periods has been noted in terms of prosecution and conviction of traffickers. However, the conviction rate of traffickers has remained low since 2015 compared to the prevalence of the phenomenon in Nigeria. This was reportedly due to various reasons including the lack of a well-functioning witness protection programme, the corruption, the limited capacity in targeting high-level perpetrators, and the lack of safehouses. Victims of trafficking may also be unwilling to testify against traffickers due to fear of reprisals.

In addition, NAPTIP offers a range of protection services to victims of the crime, including temporary shelter, counselling, rehabilitation, reintegration and access to justice. However, it is reported that NAPTIP shelters do not meet international standards. NAPTIP also coordinates with NGOs that provide shelter and other services to victims of human trafficking for longer periods. The quality of NGO shelters greatly differs depending on the available resources and donor funding. For more information on NAPTIP, see [Actors of protection](#).

Risk analysis

Individuals under this profile could be exposed to acts which are of such severe nature that they would amount to persecution (e.g. violence, re-trafficking). Where the risk is discrimination and/or mistreatment by society and/or by the family, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Not all individuals under this profile would face the level of risk required to establish well-founded fear of persecution. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: amount of 'debt' to traffickers, whether the applicant has testified against the traffickers, level of power/capability of the traffickers, the traffickers' knowledge about the victims' family and background, age, family status (e.g. orphan, single woman), socio-economic background and financial means, level of education, availability of support network (family or other) or the family's involvement in the trafficking, perception of the local community, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of membership of particular social group. For example, victims of sex trafficking may be subjected to persecution based on their common background which cannot be changed (the past experience of having been trafficked) and a distinct identity in Nigeria, because they are perceived as being different by the surrounding society (e.g. stigmatisation).