



Human Trafficking and the Web of International Prostitution in Nigeria: A Study of Benin City

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Abstract

A largely neglected aspect of globalization with serious unintended consequences is the trafficking of persons, one of the ugly sides of globalization. Domestic policies crafted at the national level have a serious impact on globalization and one of such is the legalization of prostitution which invariably affects the activities of human trafficking inflow to countries. Also not ignoring the fact that existing literature insists on coercive dynamics that thrust victims into prostitution network, this research takes a different stand by underlining the preliminary awareness of most victims and how the organized multifaceted activity shapes the multi-dollar trade. To achieve the objectives of the study, a case study approach and qualitative method will be adopted. Content analysis will be used to quantify contemporary or historical texts for better analysis and examination of the subject matter. Also, comparative study will be adopted to investigate cross-sectional patterns of prostitution laws and policies and conducted reviews on interviews will be used for better understanding of participants' perceptions. Data will be collected from various secondary sources such as reports, project documentaries, articles, policies, statistical data, websites and so on. Keywords: Globalization, Human Trafficking, Prostitution, policies, legalization. Words: 191.

CHAPTER ONE

INTRODUCTION

1.1 Background To Study

There's a high prevalence of modern day slavery known as Trafficking In Persons (TIP) in Nigeria. The term 'modern slavery' is a rebranding of human trafficking, which for many years was and still is a global social malaise that has defied various solutions put in place to curb it.¹

The problem is that human trafficking for prostitution purposes is arguably not about sexual partnership but all about the objectification and commodifications of women's bodies (in most cases) for remuneration by the givers of sex (in cash) while the receivers of the sex pay for the deal.² According to Das.E., it is an unlawful carnal knowledge which downplays human dignity.³

Migration from time immemorial has been a frequent human activity as evidenced in the book of Genesis, where the patriarchs were constantly sojourning. However, the new trend in migration is that in sub-saharan Africa, it is closely associated with labour and sex trafficking which can best be described not only as a global problem but a modern form of slavery.⁴

As alarming and prevalent as its incidence would appear, there is generally a paucity of accurate data on its magnitude and this is due largely to its clandestine nature⁵. Several studies have pointed to Nigeria as having the largest percentage of migrated young men and women who end up being exploited. More worrisome is the fact that Edo State and in particular Benin City has been christened the seat of human trafficking for international prostitution.⁶

Presently, Edo State is Nigeria's trafficking hub and one of Africa's largest departure points. Every year, many youth migrate from the state after selling everything they have to

finance the migration with hope and promise that when they arrive, life would become better. Unfortunately, once out of Nigeria, these illegal migrants are taken hostage with little or no food, sexually and physically assaulted by the masters and sold in slave auction as little as \$400 (United Nations Children's Fund Report, 2017 and NIMA 2018).⁷

Once upon a time, Africans were captured, chained, sold into slavery and immigrated into the New world where they were forced into all kinds of dehumanizing manual labour. The concerted efforts of different liberation and Christian movements nearly 150years ago led to its abolishment. Regrettably today, more than 40million remain trapped in modern slavery-in form of compelled labour, sexual exploitation, forced marriage, state imposed force labour and Nigeria is a victim of this trending social malaise.⁸ The International Organization for migration (IOM) has confirmed the existence of slaves being sold openly in markets in Africa where even children are bought and sold.⁹ The yet answered question is how did Nigeria particularly people in Edo State get to this level where citizens especially the youth would prefer to embark on suicidal mission instead of staying in their original place of abode.

Findings revealed that poverty is a common experience for many of the women involved in sex trafficking as they perceive it as a viable option towards terminating generational poverty.

Contrary to existing literature that argues that many of these women are coerced into sex trade by traffickers, reviewed findings from a research by Pat Omoregie revealed that 12 women out of 15 of the survivors admitted that they were aware of the nature of the jobs, while 10 of them approached traffickers themselves.

In the middle of the night my mother and elder sister woke me up and asked me to look at the level of poverty that they are in. we were all in one room apartment; they pleaded with me to travel out of the country to help my family. They said I

should travel to rescue the family from shame of poverty. That was how my journey began; I did not know which country I was going to, my sister took me to one man who took me out of Nigeria.¹⁰

Trafficking and International prostitution thrived in Russia and Ukraine after the fall of the old Soviet Union. That was also the situation in Serbia, Romania and several other nations that experienced wars, hardships, political and economic instability. The case was not different in Nigeria after independence from the early 1980s when the country was under serious economic crisis.¹¹

Nigeria is an increasing concern as a source, destination and transit country for human trafficking. Although accurate data is difficult to come by, the 2018 Global Survey Index estimated that approximately 1.4million Nigerians or around 0.7% of the country's total population is living in a state of modern slavery.¹²

According to United Nations data, Nigeria's population in 2017 was 191 million. By 2050, the UN projects that the figure would reach over 400million behind only India and China¹³. Nigeria faces substantial institutional hurdles. It ranked 157th out of 189 countries in the 2017 Human Development Index ¹⁴, 145th out of 190 in the World Bank's 2018 Ease of doing Business Index ¹⁵and 144th in Transparency International Corruption Perceptions Index.¹⁶

As a result, Nigeria's young adults face severe economic hardship and many feel despondent about the future, the country's young people and particularly those from Edo State and the surrounding states, often believe that undertaking a perilous journey to Europe is their only opportunity to improve their circumstances.¹⁷

Any legal or legislative intervention that targets the menace of Human Trafficking through the syndicates without considering the web and clients cannot totally nip the problem in the bud.

Recently, there has been a sort of mass exodus of Nigerian youths to different parts of the world. Some of these youths were forced to migrate due to lack of jobs, Boko haram insurgency and lately, Fulani herdsmen's brutality. Others it would appear, were encouraged to migrate due to perceived chances of getting better jobs, better education and better standard of living. These push and pull factors in migration are in themselves not harmful but lately have had serious unintended social implications and consequences.¹⁸

There has been a lot of hue and cry on the dangers inherited in youth migration particularly to Europe and parts of the Asian continent and the media is replete with crimes committed by and against migrant youth in these distant countries. The mass exodus of youths from Nigeria and, indeed, other Sub-Saharan African and Asian countries to the economically advanced nations of Europe and America encouraged the emergence of syndicates who devised methods for enticing would-be trafficked persons. In the case of Nigeria specifically, the syndicates developed very strong and dependable network for effective organization, recruitment and movement of would-be trafficked persons from their local communities to North Africa across the perilous Sahara Desert. Most Nigerian victims of human trafficking pass through Niger, Mali, Tunisia, Morocco or Libya en route to Europe.

By 1990s the large number of emigrants roaming the streets of some European countries were considerable. Nigeria was listed among the African countries with the highest number of women trafficked to Europe for commercial sex business. According to Otti, about 50,000 Nigerian women were trafficked to Europe every year for prostitution. He stated that trafficking of women

and children across local borders in Africa has been on increase despite counter-measures by government agencies and anti-trafficking organizations.

As many of the trafficked persons were without valid traveling documents, they became source of great concern and embarrassment to their respective countries. Many of them were said to have constituted social nuisance in their host countries, for example, the young prostitutes openly soliciting for male clients in the streets of Italy and Amsterdam. The situation created a new global problem involving the trafficking in human persons across national borders for sexual exploitation and other oppressive and dehumanizing purposes. The phenomenon was described as a form of “modern-day slavery”.

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO 2017), Nigeria currently ranks 23rd in the global slavery index of 167 countries with the highest number of illegal migrants. The irregular migration and human trafficking which is the third in the ignoble hierarchy of the commonly occurring crimes in Nigeria has led to loss of many youth who have lost their lives while trying to cross the dessert and sea to foreign lands. Something is clearly wrong in the way Nigeria in general manage citizen’s security and border security.¹⁹

Nigeria is a multi-cultural country with diverse ethnic and religious identities and an estimated population of 191million people. Available records shows that over 60% of the population lives below the poverty line and women and children especially those in rural areas forms a large part of the population.²⁰

Edo state is one of the 36 states in the Federal Republic of Nigeria with Benin City as its capital. It is in the western part of the country with a population of about 5million people spread

over the 18 Local Government Area,²¹ with four major ethnic groups; namely, Bini, Esan, Owan and Etsako. Edo is a minor oil producer and ranks among the top 10 of the country's 36 states for GDP. Despite this wealth, much of the population of Edo State is desperately poor and an entire economy was built up around the trade in humans. While slave trade in the region dates back centuries, the trafficking of migrants began in the earnest in the 1980s. At that time, international travel was more straight-forward with less stringent border controls.²² Frustrated by the dearth of opportunities in Nigeria, many young women travelled to Europe with fake travel documents seeking employment, often to sell gold and beads, and many ended up on the streets of European capitals engaging in sex work. In Italy, in particular, men using sex workers often preferred new arrivals from Nigeria over their Italian counterparts, many of whom had drug addictions, due to the fear of aids in the 1980s.²³

Benin City is one of the oldest cities in Nigeria. However, in recent times, the city which was well known all over the world for her artistic triumph and an intimidating aura of monarchy is today branded as the major sex centre in Nigeria.²⁴ It is said that over 80% of International Prostitutes from Nigeria are of Benin origin. Thus, many have come to see the city as the 'city of prostitutes'. Presently, the mere mention of Benin rings a bell of 'prostitution' in the minds of many. Benin women are now regarded as loose, promiscuous, licentious and unrestrained.²⁵

It is cogent to note that international prostitution has continued to thrive in Benin due to the role of organized traffickers and the economic relevance in society. The Dumez Company which was established in colonial Benin, however, played a significant role in the emergence of traffickers in the city. The first set of women that migrated to Italy in the post-colonial period was sponsored by their boyfriends who worked with the Dumez Company in Benin. Most of these women and girls had no education or formal skills; they began to work in plantations. They

later realized that it was more profitable to work as prostitute than in the plantations. They generated significant incomes in a short time and also invited their friends and sisters to Italy for the same trade. As they returned back home, they were celebrated as most people at that point did not really understand the kind of business they were engaged in Europe. Other women also found their way to Europe and made so much money through prostitution.²⁶

It is important to note that most women among these first sets of Italos were not trafficked; they sponsored themselves to Europe to make more money as some were already prostitutes in Nigeria before they migrated to Europe. The number however increased as a result of the economic crisis that enveloped the nation in the 1980s. The devaluation of the Nigerian currency through the Structural Adjustment Programme of the 1986, the dollar became very high compared to the Nigeria naira, the economy was and still is very hard on Nigerians and Benin was disadvantaged in the Nigeria polity because she was not among the major ethnic groups who were in the corridors of power. There were no industries or any major means of survival for the people.²⁷ Thus, the women had to rise to feed their hungry children. This was how the older women in Italy began to come to Benin to recruit women and girls. At first, many of these young girls were deceived but with time, it became an open secret in Benin. This, from 1990s, the hope and aspiration of every young girl was to migrate to Europe.

At this point, everyone became involved; parents, uncles, aunties, brothers, sisters, neighbours, boyfriends, traditionalists and several others. This took the trade to another dimension as new routes were now introduced; several girls/ boys died in the desert of Libya and Morocco. Some were drawn in the sea trying to cross over to Europe.²⁸

Findings from the fieldwork conducted by the Institute of Peace and Strategic studies revealed that some of the victims got attracted to the promises of the traffickers due to the urgent need to escape forced marriages, domestic violence from their spouse and financial constrain. There were reported cases of victims of sexual exploitation whose pathway started as illegal immigrants but got stranded at the border communities. It is an attempt towards enabling the traffickers to process their passage out of the country. While these girls and women wait for their passage out, they are forced to prostitute to fend for themselves and also pay the expense of the pimps or traffickers. Many of the victims stated that lack of alternative means of livelihood and attractive picture of luxury painted by traffickers were major pull factors for being trafficked²⁹. Most victims of trafficking could not be said to have been under complete coercion. Victims believed that they would be better off compared to the initial socio-economic status.

Policies and legislations were being adopted in line with the conventions on the Rights of Children (CRV) and for the Elimination of All forms of Discrimination Against Women (CEDAW). This has strengthened coordination and monitoring mechanisms at all government levels for the protection of children and women from abusive, violence, trafficking and exploitation. The National Agency for the Prohibition of Trafficking In Persons and other related Matters (NAPTIP) was established to fight human trafficking through investigation of cases, prosecution of criminals, rescue and rehabilitation of victims.

IMADR describes the legal prescriptions of the two codes of criminal law in the country: “Nigeria has two codes of criminal law; the Criminal Code covering the Southern states of Nigeria and the Penal Code applying to the North. The Criminal Code does not define what constitutes trafficking nor does it deal with the various forms of trafficking. However, it deals with the offences which may constitute external trafficking for prostitution and slavery. For

example the Criminal Code makes it an offence to procure women and girls for prostitution in or outside Nigeria (223(2)). There are also provisions dealing with offences of unlawful deprivation of liberty, slave dealing, forced labour, and sexual offences. For instance, section 365 deals with unlawful confinement or detention against a person's will while Section 366 covers compelling someone to do something by threats, surveillance or other intimidation and is punishable by one year of imprisonment. If this involves assault, the penalty increases to five years. The Criminal Code prohibits slave dealing, and Section 369 punishes slave dealing with imprisonment for 14 years upon conviction of any offender. The Penal Code contains similar provisions on trafficking. Section 275 prohibits to induce girls below 18 to incitation of prostitution and others similar practices. Section 278 provides that any person who buys, sells, hires, lets to hire or otherwise obtains possession or disposes of any person below 18 years with intent that the person will be or is likely to be employed or used for prostitution or other unlawful or immoral purposes is guilty of an offence punishable with imprisonment up to ten years and liable to pay a fine in addition. Section 279 creates the offence of slave dealing and provides that any person who exports, imports, removes, buys, sells, disposes of, traffics or deals in any person as a slave or accepts, receives or detains such person is liable to imprisonment for a maximum of 14 years and a fine. Section 280 punishes forced labor with a fine and one year imprisonment; enticement or leading away of any woman or girl (with or without her consent); for immoral purpose with imprisonment of up to 7 years and a fine. The Penal Code does not define the term traffic.”³⁰

Conversely, the promulgation of the Act, the efforts of the National Agency, the creation of an office of special adviser to the President of human trafficking, the efforts of the coalition of non-governmental organizations and civil society networks on human trafficking have all led to an

increased level of awareness. However, there's still an increasing prevalence of human trafficking for prostitution purposes³¹.

The discourse of human trafficking for prostitution purposes is concerned with the purchase and sale of sex by syndicates performing sex acts for monetary gains. While the syndicates are motivated by greed, get rich quick syndrome, the demand for cheap labour and sex satisfaction, desire to exploit existing inequality in the society, the trafficked victims are lured by the need to transform their poor identity, family instability as a result of sickness, death or displacement of members, ignorance, illiteracy, desperation to travel abroad or for marriage, search for well paid jobs. The trafficked persons become victims of spurious promises owing to their desperate desire to travel.³²

With regard to Nigerian sex trafficking networks, the US Department of State (USDOS) in its country report on trafficking in persons published June 2017 notes: "Nigerian sex traffickers operate in highly organized criminal webs throughout Europe, and many sex trafficking victims begin to work for their traffickers in exchange for leaving sex trafficking themselves. Nigerians are subjected to sex trafficking and forced labor in Finland. During the reporting period, Spanish and Moroccan officials dismantled a Nigerian-led criminal group that subjected at least 39 Nigerian women and girls to sex trafficking in southeastern Spain. Nigerians are increasingly exploited in Libya; lured by the promise of reaching Europe, traffickers keep victims in 'control houses' or 'prostitution camps' located on the outskirts of Tripoli and Misrata and subject them to sex trafficking and—to a lesser extent—domestic servitude until they can repay travel debts; before victims repay the debt, traffickers sell them again. During the reporting period, ISIS captured at least seven Nigerian women and girls in

Libya and exploited them in sexual slavery; some of the victims had been transiting Libya en route to Europe”.³³

Europol, the law enforcement agency of the European Union, explains the following concerning crime groups from the West Africa region:

For years, European police forces have been closely monitoring the trafficking of women from West Africa to the EU for sexual exploitation. Investigations show the existence of organised crime groups (OCGs) from West Africa highly networked which embrace exploiters, facilitators, trafficked women handed over to the forced prostitution market, money launderers, and persons involved in the forging of travel documents and Visas.³⁴

The United Nations Office on Drugs and Crime (UNODC) mentions the following concerning the involvement of women in the trafficking process:

From the limited information available, the global pattern of a prominent female role in the trafficking process seems to apply also in this region [Sub-Saharan Africa]. About half of the approximately 200 convicted traffickers whose gender was reported between 2012 and 2014 were females. Data from Nigeria was significant in this respect, given that this country convicted more traffickers than any other country in the region during the reporting period.³⁵

An article by Vanguard newspaper cites a female pastor with experience with victims of child trafficking within and outside Nigeria as saying that “most mothers encouraged their daughters to engage in prostitution even in Nigeria” and that “trafficking has grown into a big business controlled by a cartel around the world.”³⁶ The BBC writes that some parents “approach recruiters on behalf of their children” although they are aware “they will be working as a prostitute in Europe”.³⁷ CCARHT in June 2017 mentions the possible involvement of family members in the traditional oath-taking in the recruitment process of human trafficking.

The attention of the Nigerian government was drawn to the menace of trafficking in women in 1997 when the Nigerian Ambassador to Italy, Mrs Judith Attah drew the attention of the Nigerian delegation to the 63rd Interpool General Assembly. She informed them of the nuisance level to which the African women, especially Nigerians were constituting themselves and called on the government as well as the Nigeria Police Force to put in place necessary machinery to tackle the problem back home. The police as well as the state and federal government since then collaborated with relevant agencies and NGOs to address the menace.³⁸

In 1999, the embassy of the Federal Republic of Nigeria in Italy with note verbale no.210/99 formally requested administrative assistance from the Italian Ministry of Foreign Affairs towards the development of a plan of action for Nigeria to combat trafficking in human beings for sexual purposes and enhance consultation among the law enforcement agencies of the two countries.³⁹

On September 2000, Nigeria and Italy signed a bilateral agreement designed to combat clandestine immigration which included commitments relating to welfare and respect of human rights in the repatriation of illegal migrants.⁴⁰

The question posed is, did all these measure tackle the issue of trafficking for prostitution purposes? The apparent bad publicity has led to a state wide campaign against prostitution and trafficking of females in Edo State. In the state determination to confront the issue frontally, government widened its big stick on sex trade barons and sponsors. About 13 sponsors or barons who were said to be involved in trafficking of women were arrested between November 1999 and May 2000. Those arrested in November were; Patience Euboumwan, Gafani Tijani, Barry Iyabosa Etiosa, Gibson Igbe and Christopher Ogbadan. In March 2001, the police arrested Mary Uhuanwangho, Eshohen Ijoha, Cecilia Uhuamwangho, Victor Omobude and Lucky Bright

Enadeghe. Three persons arrested in May were; Arala Osula, a Bini Chief, Mary Osula and Packer Ikopa who were charged to court.⁴¹

On February 7, 2000, the wife of the governor, Eki Igbinedion who initiated the 'Idia Renaissance' in 1999 to tackle prostitution and other social ills in the state carried her war to the Italian Embassy, Lagos. There, she held a meeting with Giovanni Germano, the ambassador and Sabina Vetterre, visa officer. Present at the meeting were some officials of 'Idia Renaissance', including R.I. Olotu, permanent secretary, Ministry of Women's Affairs and social development, Benin, representatives of TAMPEP, an NGO based in Toronto, Italy.⁴²

Germano spoke against prostitution and trafficking of women and how his home government felt on the issue. He said that in 1999, there were about 28,000 Nigerians resident in Italy out of which 15,000 possessed valid documents. The Ambassador said most Nigerians entered Italy through Ghana, Togo and specifically through Spain and Morocco. He said the biggest African population in Italy were Nigerians and underscored the need to ensure that all hands were on desk to help curb prostitution and human trafficking and possibly to rehabilitate all its victims.⁴³

The wife of the governor, Eki Igbinedion also travelled to Torino, Italy to explore the possibility of co-operation between Idia Renaissance and the provincial authorities on the other hand towards combating female trafficking. Other objectives of her trip were to contribute to the overall effort to improve the nation's image abroad and to advocate tougher sanctions by the Italian authorities against known traffickers other than the counter-productive measures of indiscriminate deportation of the victims of the trade.⁴⁴

Apart from Idia Renaissance, Edo Cultural Association also raised an alarm over the sex trade. On September 14, 1998, the association wrote to the Oba of Benin on the pressing issues of

prostitution in Edo State. The embassy of Nigeria in Italy and A.J. Ojomo, assistant inspector general of Police, D' department also drew the Oba's attention to the odious practice of Benin women in their respective letters dated October 2, 1998 and March 30, 1999. Olumoko stressed that Nigerian women were being ridiculed and brought into disrepute in diplomatic circles in Italy. This he had, stressing an urgent need to tackle the menace from the source as outlined in the Edo cultural Association's letter.⁴⁵

The Oba of Benin took several actions to tackle the problem. First, he replied the Inspector Genral of Police, on April 5, 1999 saying he was shocked to hear the initial reaction of his chiefs. According to him, the chiefs almost in Unison said their efforts to eradicate prostitution were likely to yield no result because many parents now live in affluence from the money their daughters sent to them from overseas.

The second action the Oba took was the decision to recruit Afamat Nigeria Ltd., information managers and image makers to handle the image of his majesty. Afamat's duty was to study the problem and fashion out preventive and curative measures to solve the problem.⁴⁶

Afamat proffered wide range measures covering political, socio-economic and cultural means of curbing the scourge. Among other things, it recommended that the syndicates who are part and parcel of life in Benin must be sought put and punished. It said, the greatest share of blame should go to the family and parents who put pressure on their children to debase societal values for mundane things and outrightly failed to impact old values that sustained society in the past. It becomes imperative for traditional sanctions, including curse to be meted out as punishment to those who debase Benin values by taking young men and women to prostitute in Italy and other countries, Afamat said.⁴⁷

At the international level, Nigeria became active in the multi-lateral negotiation and the adoption of Trafficking in Persons' protocol supplementing the UN Convention against trans-national organized crime. Nigeria subsequently signed and ratified the Convention and the Protocol in 2000. The protocol was subsequently domesticated as Trafficking in Persons prohibition law enforcement administration act, 2003 as amended in 2005, that established NAPTIP as Nigeria's focal Agency in the fight against trafficking in human beings especially woman and children.⁴⁸

Furthermore, a nine state tour was launched to establish state working groups against human trafficking. The objectives of these and several related programs were to sensitize vulnerable people, sharpen public awareness of trends and tricks traffickers used to lure victims, warn parents and share ideas among stakeholders.⁴⁹

Mesmerised by the allure of grandeur abroad, in contrast to the misery at home, vulnerable Nigerian minors are leaving the country in droves. Nigeria's Ambassador to Burkina Faso, Ramatu Ahmed, underlined the scourge afresh when she revealed that many teenagers were being deceived into taking the hazardous journey by the false narrative of greener pastures overseas. Mostly underage girls, they are lured by crime syndicates promising them jobs in Europe. With thousands of victims stranded in transit camps dotting the West and North African landscape, the three tiers of government have to work harder to stop the traffic. Ahmed said that no fewer than 10,000 underage Nigerian girls had been forced into prostitution in Burkina Faso, with some working as slaves in mining sites across that country. The syndicates woo them by pretending that these transit camps across the Sahara Desert are temporary arrangements on the route to Europe. Often, that promise never materialises. Instead, the girls are trapped in those

camps, where the traffickers subject them to sexual molestation, prostitution and forced payments to those that recruited them. It is a heavy price for those sucked into the web⁵⁰.

These are Nigerian teenagers, who ought to be at school or learning a trade. In June 2018, the National Agency for the Prohibition of Trafficking in Persons lamented that about 20,000 girls, mainly from Edo and Delta states, were engaged in prostitution in Mali, being a major transit centre for the human trafficking gangs. Captivated by stories of employment in Europe, they are also to be found in Ivory Coast, Niger and Chad. By operating there as prostitutes, they dent the image of Nigeria⁵¹.

From West Africa, the traffickers smuggle the surviving ones to Libya, Morocco, Algeria and Sudan, preparatory to crossing the Mediterranean to Europe. It is a treacherous trip filled with landmines, both legal and fabricated. In lawless Libya, and other North African countries, they are forced into inhabitable camps, raped and detained under notorious conditions. Those reluctant to play by the set rules have to buy their freedom or are married off. The others, as the International Office for Migration says, are sold off as slaves. Walk Free Foundation, an Australia-based charity, said that, of the 29.8 million trapped in modern slavery as of 2013, 2.9 million were Nigerians. One of them is Precious Nwaigwe who was kidnapped by a trafficking gang in Ogun State on her way to school in 2014. She ended up in Agadez, Niger Republic and later Bra, Libya, where her tormentors demanded a ransom of \$100,000 from her parents. To regain her freedom, she had to work as a sex slave for about a year. According to her, about 1,000 underage Nigerian girls were involved in prostitution in Bra⁵².

Indeed, the Anti-Slavery International, a British charity, estimates that there are currently 40.3 million entrapped in modern slavery. Out of this figure, 4.8 million are victims of sexual exploitation. The ultimate plan by the traffickers is to smuggle the girls to Europe, particularly Italy, Spain and Greece, through the Mediterranean Sea, which links North Africa and Europe. In this process, sometimes, their boats capsize, leading to high death tolls. In March 2018, Italian authorities recovered the bodies of 26 Nigerian teenage girls from two shipwrecks. They had drowned close to the port city of Salerno. A post-mortem revealed that two of them were pregnant⁵³.

It is time for Nigeria to halt the dangerous drift of its susceptible youth – the hope of tomorrow – into modern sex slavery. As a society, we have to wake up to the enormity of the trafficking crisis. Most of these underage citizens are eager to embark on this journey of no return because educational and work opportunities are grossly limited at home. To bring change, governments should invest massively in education, offering free and quality schooling up to secondary school level. Good governance is also paramount, as it is the sure panacea for economic boost, which will generate jobs and effectively deter our impressionable youth from undertaking the dangerous flight abroad. Government should boost infrastructure renewal, electricity, health services and secure the country from banditry, robbery and terrorism. The Federal Government should tighten its immigration operations, making it difficult for traffickers to procure travel documents for victims so easily⁵⁴.

Governments need to get serious about identifying the full extent of the problem so they can get serious about eliminating it. The fact that this form of slavery still exists in the 21st century shames us all. The truth is that, there is hardly any country in the world that is not implicated in the crime of human trafficking for sexual exploitation or forced labour. The fact remains that

trafficking in human beings especially women and girls is not new, it is traceable to pre-historic times, indeed it has taken many forms, but in the context of modern globalization, it has acquired shocking new dimensions. In modern times, it has become a complex, multi-faceted phenomenon involving multiple stakeholders at the institutional and commercial level. It is one heinous practice that continues to proliferate at an alarming rate and has a particular relevance to women and girls. It is also of common knowledge that Nigerian women and children whether trafficked internally or externally are usually trafficked for sex. This violence against the woman and girl, in the last decade had seen thousands of women and young girls trafficked into the sex industry especially into Europe.⁵⁵

The rate of trafficking soared so much that, so many Nigerians equate trafficking with prostitution alone and not other forms of labour which are also prevalent. The fact is that, the factors that make women and girls particularly vulnerable are rooted in systematic gender discrimination especially devaluation of women and children's human rights. Italy is one country where women and girls are trafficked very frequently⁵⁶. Trafficking of persons in Italy comprises of adults and minors who are usually trafficked for sexual purposes. Because of the huge profit made in this debasing act, sex trafficking has become one of the most profitable forms of trafficking since it involves sexual prostitution, pornography, bride trafficking, and the commercial sexual abuse of children. Sex trafficking of women in the world is so rampant that several non-governmental organizations and groups including several governments of different countries have joined the United Nations in advocating for laws that will combat trafficking in women. One of such non-governmental organizations is the Coalition against Trafficking in Women International. CATW promotes the human rights of women by working internationally to combat all forms of sexual exploitation particularly sex trafficking of women and girls⁵⁷. In

present times, sex trafficking has become a very serious form of organized crime globally that involves the exploitation of women and girls by very powerful syndicates.

Trafficking is economically driven. Under the social condition of uncertainties, young women and men seem captivated by crass greed and opportunism, accruing wealth from nothing or spending without earning, in which case the will to consume outstrips the opportunity to earn. The issue of corruption and economic decline pushed many young women into the global sex industry. Adding to this, the youth, most importantly young women, often frustrated by the receding capacity of the state in providing social services, parents and older generations, are easy prey to the generalized promiscuity engendered by poverty and beleaguered desire⁵⁸. Oil production is principally serving the global economy at the expense of the local population. Local people are deprived of the means of livelihood due to environmental degradation, episodic conflicts, and insecurity. The unequal patterns of global economy create an unprecedented supply of poor and vulnerable women from Nigeria as well as a corresponding increase in European men's income and their ability to demand women's sexual pleasure⁵⁹.

While poverty may explain the supply factor of trafficking in women, it does not explain the demand factor. The latter is linked to the market, the customers, and the criminal networks. In most European countries where these girls/women are trafficked to, there was an upsurge in the demand for young girls and children for sexual purpose. Trafficking of women and girls flourishes because female body has become an exotic article of trade in the global sex industry⁶⁰.

It is pertinent to note that local prostitution evolved into International prostitution, which now metamorphosed into an organized network of sex trafficking. It becomes impossible to combat trafficking where prostitution is legalized and tolerated as this is the case in most

European countries and also the result of anti-trafficking laws was that it only made the trade more discreet.

1.2 Statement Of The Problem

Several researchers have visited Benin City in order to understand the reason the city has continued to be stereotyped as the leading city in Nigeria as regards to human trafficking and international prostitution. These scholars have left the city with different perceptions of the problem. Thus, most literatures have dealt with the problem of trafficking in Benin on the surface without an indepth study of the nature of the trade itself, the underlining preliminary awareness of most victims of human trafficking for sex purposes and the complex multi-faceted phenomenon involving various stakeholders which this research will focus on.

One of such problems is that Globalization scholars with their emphasis on the apparent loss of national sovereignty often neglect the impact that domestic policies crafted at the country level can still exert on aspects of globalization. The domestic policy of most countries ‘The Legal Status of Prostitution’ affects human trafficking inflow to countries.

Secondly, contrary to existing literature, most women and girls trafficked in recent times for international prostitution are aware that they are going outside Nigeria for sex trade yet they are still willing to embark on the journey.

Lastly, local prostitution evolved into International prostitution, which now metamorphosed into an organized network of sex trafficking. It has become a web and a chain involving various stakeholders.

1.3 Research Objectives

The broad objectives of this study are;

1. To critically examine the impact of prostitution laws on the degree of human trafficking in Benin City, Nigeria.
2. Which among all other alternatives is the best model to address the issue of trafficking for prostitution in Benin City, Nigeria.
3. To examine what has sustained Human Trafficking and International Prostitution uptill the present dispensation irrespective of the laws, policies and measures already put in place by government and various non-governmental institutions in Benin City, Nigeria.
4. To examine how the dynamics of Human Trafficking for International Prostitution can be drastically reduced with its complex multi-faceted phenomenon involving multiple stakeholders in Benin City, Nigeria.
5. To determine the driving force behind International Prostitution among girls/ women from Edo State.

1.4 Research Questions

This research work will attempt to answer the following questions:

1. What is the impact of prostitution laws (legal status) among countries on the degree of human trafficking in Benin City, Nigeria?
2. Which among all other alternatives is the best model to address the issue of trafficking for prostitution in Nigeria?

3. What has sustained human trafficking and international prostitution uptill the present, irrespective of the laws, policies and measures already put in place by government and various non-governmental institutions in Benin City, Nigeria?
4. How can the dynamics of human trafficking for international prostitution be drastically reduced with its complex multi-faceted phenomenon involving multiple stakeholders in Nigeria?
5. What is the driving force behind international prostitution among girls/women from Edo State?

1.6 Significance Of The Study

Not only will this work contribute to academic knowledge, it will serve as a guide to both International, National, Government and Non - governmental organizations on how best to address the issues revolving around human trafficking for sexual purposes. This work is also significant in the sense that it brings to our understanding the unintended consequences of certain decisions taken at the national level and how it affects us globally as a community of States.

1.7 Scope Of The Study

The study is about Human Trafficking and the Web of International Female Prostitution in Nigeria, a study of Benin City, 2008 - 2018. Within these years, the author intends to closely examine the changes and patterns of Human Trafficking and International Prostitution in Nigeria, and also to be properly acquainted with the dynamics and continuity of the trade in the area. This study will also go a long way to highlight the parts played by most European countries by studying how the domestic policies of prostitution affects human trafficking.

1.8 Limitations Of The Study

The challenges and limitations to this work include:

- i. Time constraints in accessing deported victims.

1.9 Conceptual/Operational Definition Of Terms

Human Trafficking: It is the selling, buying, recruitment, receipt, transportation, transfer or harbouring of any persons for the purpose of sexual exploitation, labour exploitation or any other forms of exploitation by means of a) threat or use of force or other forms of coercion or b) abduction, fraud or deception, or of the abuse of any person's socio-economic, environmental or other types of vulnerability or c) of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.

It refers to the exploitation of humans for easy profit by syndicates. According to Farhana and Easin, Human Trafficking refers to the illegal and immoral buying and selling of human beings as commodities to meet global demands for commercial sexual slavery or forced labour. The exploitation begins to occur the moment that victims are transported and enlisted into prostitution especially when payments are expected by the traffickers, whether it is internal or external trafficking.

Prostitution: It is the offering of sexual services/satisfaction/pleasure without romantic significance, and a highly remunerative sexual activity. A situation of providing the trafficked victims a platform to generate funds from clients for the economic gains of their traffickers. It is an endeavour that services the human trafficking networks. In the context of this study,

prostitution is defined as sexual transaction that involves the demand and offering of the body to clients for monetary gains to the giver and pleasure to the receiver.

Traffickers: Recruiters, transporters, those who exercise control over trafficked persons, those who transfer and/or maintain trafficked persons in exploitative situations, those involved in related crimes and those who profit either directly or indirectly from trafficking, its component acts and related offenses.

Trafficked Persons: Refers to victims of trafficking in persons as well as persons who are in the process of being trafficked by deception, threat, coercion, kidnapping, sale, fraud, marriage, child marriage or any other unlawful means.

Trafficking: It is a transnational criminal enterprise. It recognizes neither boundaries nor borders. Trafficking is fuelled by other criminal activities such as document fraud, money laundering and migrant smuggling.

Syndicate: A group of individuals or companies formed to transact some specific business or to promote a common interest, a self coordinating group. A group of people or gangsters engaged in organized crime.

Victim: A person who has suffered the effects of violence or illness or bad luck. To be hurt, damaged, or killed because of something or someone.

Sex: Sexual activity, usually sexual intercourse.

Sexual Intercourse: Usually involving vaginal and/or anal and/or oral penetration, between atleast two organisms or being.

CHAPTER TWO

LITERATURE REVIEW

2.1 Conceptual Review

According to Modupe Adeleye, in her book, *'Victims, Actors and Violence: Human Trafficking and Prostitution in Communities along Nigeria-Benin Border'*, Human Trafficking is not a new phenomenon. Overtime men, women and children have been trafficked for the profiting of members of criminal syndicates. Trafficking for sexual and economic exploitation is considered as a modern form of slavery and a serious violation of the rights of victims especially because it always comes with issues of physical, mental and psychological violence, coercion, fraud and manipulation.¹

She asserts that trafficking of women and children for sexual exploitation is becoming one of the leading illegal economic activities along with drug trafficking and arms struggling. The exposure of boys, girls and women domicile in border communities to human trafficking has become acute. In addition, a lot of female who hitherto were been smuggled out of the country find themselves stranded at the border communities for several reasons and thereby become easy prey to human traffickers. According to her, location and environment are key factors to consider in the sustenance and spread of trafficking in persons for sexual exploitation.²

The interplay of transnational border space, commercial and human mobility, presence of organized crime network and a prevailing poverty level in the communities surrounding the border area fosters a thriving sexual industry and a conducive atmosphere for recruiting and trafficking women and girls for sexual exploitation according to Greenbaum Adaogiche.³ He suggested reasons for the increase in human trafficking and expanse in prostitution in border

communities. One of which is that, although the border area keeps expanding and flow of money is constant because of the commercial and illegal activities, the common indigenes of the communities are still largely unemployed and poor. Furthermore, Greenbaum(2014) posits that environmental, societal and community dynamics are some of the risk factors that make people more susceptible to human trafficking.⁴

According to R. Vijayarasa, human trafficking for prostitution typically conjures an image of vulnerable men, women and children who have been sold into the world of sexual servitude. Usually, these victims are forced, deceived and traded into sexual slavery by members of an organized criminal syndicate who derive financial benefit from these illegal activities.⁵

Modupe is of the view that Human Trafficking for Sexual or domestic exploitation occurs in many societies, it is a global crisis and efforts are geared towards its eradication, and the protection, rehabilitation and settlement of victims of trafficking. It is becoming increasingly imperative to note that as much as trafficking is of a global concern; the patterns, factors, trend and nature are highly localized.⁶

According to Oronsaye, International prostitution was the major sustenance of Benin economy for 10years, i.e 1980 to 1990. He further explained that most families would have collapsed as poverty became the order of the day. Major financial help now surfaced from family members who were abroad. In other to spread this new found wealth, family members abroad 'helped' sponsor other extended family members to Europe. It was regarded as 'help' and nothing was wrong with it. This was how trafficking became entrenched in Benin families' system. The availability of traffickers or network of traffickers in Benin also encouraged the

trade that even non-natives dwelling in Benin were also caught up in the web of trafficking for sexual exploitation.⁷

During an African study, Aderinto asserts, “The situation of International Prostitution became more alarming in 1999 when hundreds of Nigerian girls were deported from Italy and other parts of the globe for engaging in prostitution”. He opines that local prostitution evolved into international prostitution, which now metamorphosed into an organized network of sex trafficking. He further explained that Nigeria is the main country of Origin for women and girls who are sold into prostitution in Italy.⁸

Africa as a region is characterized by a variety of migration configurations, including cross border movements, contract workers, labour migrants and migration of skilled professionals, modern slavery is the latest addition to the list.⁹ Despite the horrid experiences of illegal migrants at the hands of human traffickers, many Nigerians especially female teens and young adults are still being exploited daily and brainwashed by the trafficking ring in Edo State, into illegally migrating to Italy, Libya and other parts of the world where they end up in sex camps.¹⁰

Although Nigeria also serves as a provider, receiver, transit and stop over locations in the illegal and clandestine immigration. In Africa, women have been in the throes of forced labour and commercial sexual exploitation. Such exploitation undermines women’s role in contributing to the development of West Africa through legitimate endeavour.¹¹ In spite of various policy interventions, law enforcement agencies have not been able to identify and track all existing networks and operational oversight of the syndicates, which all make it difficult for the trafficked victims to boldly create awareness on the abuses recorded.¹²

In spite of having some remarkable anti-trafficking policies as the only West Africa country that improved from score 8 in year 2000 to 14 in 2009 and aggregate score of 13 in 2013, Nigeria's poor protection policy has manifested in the country's sluggish attitude towards the protection of the trafficked persons that increased human trafficking flows considering how syndicates in neighbouring countries take advantage of the lapses.¹³

Fredrickson and Roberts were of the view that the global sex industry is a sexually objectifying environment. Globally, with more than 20 million individuals already vulnerable, human trafficking constitutes a fundamental violation of humanity with majority of women being exploited in an assault manner. It explains why there are numerous narratives on the trading of young women as commodities in the sex industry especially on the media. Now, there are now emerging issues on the categories of people that pay for sex and those that ought not to pay for the commodity or sexual services.¹⁴

Human Trafficking occurs when victims are collected forcibly or through deceit from their various primary residences and handed over to some other persons who subsequently sell them off to local or international consumers.¹⁵

The Prevention and Suppression of Human Trafficking Act 2012 in Bangladesh treats Human Trafficking as the selling, buying, recruitment, receipt, transportation, transfer or harbouring of any persons for the purpose of sexual exploitation, labour exploitation or any other forms of exploitation whether inside or outside of Bangladesh by means of a) threat or use of force or other forms of coercion or b) abduction, fraud or deception, or of the abuse of any person's socio-economic, environmental or other types of vulnerability or c) of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.¹⁶

The objectification theory propounded by Fredrickson and Roberts (1997) explicates that when women are sexually objectified, they are treated as an object to be valued for kits use by others, especially a situation where sexual desire makes them to single out and separate a woman's body or body parts from her as a person and see her as a physical object for sexual satisfaction. Thus, sexual violence occasioned by objectification of women's dignity usually aggravates their body shame. There is a probability that a woman who has experienced abuses in the process of sexual exploitation would be subjected to psychological trauma because of how syndicates and clients violated her human dignity.¹⁷

According to them, it is the objectification of women, owing to patriarchy and usually sustained by gender inequality that drives human trafficking for sexual exploitation. Notable factors are the socio-economic impact of the SAP (1986-1993), early physical and sexual abuse of teenage girls, collapse of family values and honour, owing to prevalent polygamy, role models, parental pressure and peer pressure. The need for sex workers and cheap labour in farms can also be regarded as the drivers of human trafficking.¹⁸

Pedro Okafor, in his work, *The Socio-Economic Effects of Human Trafficking in Nigeria*, journal of social sciences and Humanities Research, argues that the problem of trafficking became prominent in the past two decades due to the severe economic plight of the African continent. In this regard trafficking for prostitution and forced labour has become a big time money spinning business by cartels and has posed a tremendous challenge to African countries. It is the third largest profit yielding business after arms dealing and drug trafficking.¹⁹

Trafficking has a complex socio-economic and political basis linked to larger, global processes. It is not simply a social or moral problem to be treated with casual initiatives as they do not

address poverty or related issues of vulnerability and discrimination in strategic or sustainable ways.

Human Trafficking is a crime that permeates every society. The nature of border space, merged with the political and socio-economic peculiarity of the border produces factor that predispose members of the community to illegality and the females to trafficking for prostitution. Some of the factors includes, prevailing poverty, lack of social resource and amenities, prevalence of criminal activities and the presence of criminal syndicates.²⁰

Human Trafficking for sexual or domestic exploitation occurs in many societies, it is a global crisis and efforts are geared towards its eradication and the protection, rehabilitation and settlement of victims of settling. However, it is becoming increasingly imperative to note that as much as human trafficking is of a global concern, the patterns, factors, tend and nature are highly localized. According to him, it is important to study the pattern adopted by trafficking syndicates as they operate in each location. The knowledge of this will go a long way to fast tract the intervention efforts of community, non-governmental organizations and government.²¹

According to Carol Tan, human trafficking leaves no land untouched. In 2013 the U.S. State Department estimated that there are 27 million victims worldwide trafficked for forced labor or commercial sex exploitation. A 2011 report from the Department of Justice found that of more than 2,500 federal trafficking cases from 2008 to 2010, 82% concerned sex trafficking and nearly half of those involved victims under the age of 18. Scholars note that the phenomenon represents a serious health issue for women and girls worldwide. Beyond the human cost, trafficking may also compromise international security, weaken the rule of law and undermine health systems.²²

Since the United Nations adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially women and children in 2000, global efforts have been made by the international community to address the growing problem. Challenges remain significant, however, in particular because of its profitability: According to the International Labor Organization, human trafficking is a \$32 billion industry, second only to illicit drugs. A 2011 paper in Human Rights Review found that sex slaves cost on average \$1,895 each while generating \$29,210 annually, leading to “stark predictions about the likely growth in commercial sex slavery in the future.”²³

According to Time Magazine published by Goliath in 2001, slavery as an institution was abolished in the 19th century and the 1948 Universal Declaration of Human Rights prohibiting slavery or servitude recognizes the rights of all human beings to live a life of freedom and dignity. Since the abolition of slave trade more than 2 centuries ago, about 300 international protocols and conventions prohibiting and criminalising slavery and slave trade in any forms, have been signed and adopted by nations. It went further to bring to fore that the recent global economic crunch, poverty, social and political conflicts, wars, natural disasters and the contemporary climate change have profoundly influenced the alarming dimension with which people are being pulled-up as clients for human traffickers.²⁴

According to Girl’s Power Initiative (GPI) Journal, Nigeria, May Ikoghode, member of the GPI and AWEG (African Women Empowerment Guide) said that the deconstruction of the mindset would involve working on young minds positively to question what is questionable, challenge rights, denial and abuses and taking a stand when they need to, even before parents as well as influencing their peers to do same. According to her, a notable part of Nigeria where young women and girls between the ages of 10 to 30 are regularly trafficked, by NAPTIP record

is Edo State. She said that looking at the cultural history of the people, there is nothing to suggest that female indigenes of the state were bound to end up in Italy. May Ikoghode also noted that the enticement from traffickers are such that would be desired by every young person's growing up in poor vulnerable environment, increasing youth empowerment, profound difficult living conditions, particularly in rural areas and urban slums and poor social amenities that have constituted the pushing and predisposing factors for trafficking of women and girls from the state. According to her, education is the greatest strategy for choice for deconstructing the mindset of the vulnerable and enlightening them on the tricks of traffickers.²⁵

Nigeria is heavily affected by the problem of human trafficking. It is estimated that Nigeria and Albanian citizens make up a sizeable proportion of the approximately 20,000 immigrant women brought to Italy for the purposes of prostitution. Trafficking of women to Italy dates back to the end of the 1980s when the fear of HIV/AIDS rendered drug-addicted Italian girls unattractive in the prostitution market and the first Nigerian girls began to appear on the streets, especially in central and northern Italy. Nigeria thus constituted Italy's first labour of forced prostitutes and they are now numerous throughout the whole country.²⁶

Girls often trafficked from Nigeria as a whole are often made to undergo some rites in order not to reveal the identity of their traffickers and madams to the police and to pay their debt without creating problems. These traffickers often control their victims through modes, such as; oath taking, drugs, physical threats, debt bondage, sedatives, sexual abuse etc.²⁷

2.2 Theoretical Review

2.2.1 Economic Theory of Demand and Supply

One reason that the Demand Model has grown in popularity is that it to some appears compelling in theory; a focus on the demand side of the sex trade could potentially shrink the market for prostitution and thereby reduce the profitability of sex trafficking, which means that traffickers would supply fewer victims to the market. The rationale behind the idea to target the demand instead of the supply is simple: it is based on the notion that there will be someone who is willing to supply the market as long as demand exists and individuals are prepared to pay hefty sums for sexual services.²⁸ Proponents of the Demand Model argue that it is not realistic to imagine that trafficking can be successfully fought until demand for purchased sex has been substantially reduced, if not eliminated. Because sex trafficking is a lucrative business and the risk of getting caught is perceived as low by actors in the market, such as pimps, it has been argued that by attempting to reduce the demand for paid sex, it may be possible to make it less profitable for traffickers to stay in business. If fewer people were to purchase sex, proponents contend, it would be rational for traffickers to traffic fewer human beings.²⁹ Supporters of the Demand Model claim that criminalizing only the act of buying sex focuses law enforcement resources on reducing the demand for purchased sex.

The equilibrium quantity of prostitution will be a function of demand and supply, just as in any other market. A commonly recognized stylized fact is that despite working conditions that many would regard as exploitative, wages earned by prostitutes tend to be high relative to their human capital endowments such as education and skills and therefore relative to the wages they could earn outside prostitution. Legalizing prostitution will therefore almost invariably increase

demand for prostitution. Concerning supply, legalizing prostitution will induce some potential sex workers or their pimps to enter the market, namely those who were deterred from offering such services by the threat of prosecution and for whom they pay premium that arose from the illegality of prostitution. With demand and supply increasing, the equilibrium quantity of prostitution will be higher in the legalized regime compared to the situation where prostitution is illegal.³⁰

The legalization of prostitution will not reduce the share of trafficked prostitutes to zero as some scholars may argue. First, there maybe insufficient supply among domestic or legally residing foreign individuals, given the risky and unattractive nature of prostitution which persists even after legalization.

Second, trafficked individuals are significantly more vulnerable and exposed to the demands of their pimps, which makes their continued employment attractive to some extent. For example, a greater portion of their earnings can be extracted, making their pimps business more lucrative than operating with legal prostitutes.

Third, clients might have preferences for exotic sex workers from geographically remote places whose nationals are unlikely to have legal rights to reside in the country.³¹ The scale of prostitution becomes larger ones it is rendered legal, thus the incidence of trafficking also increasing.

This is the model this study will apply in achieving the set out objectives.

2.2.2 Feminist Theories

Most of the theoretical frameworks regarding violence against women are derived from feminist theories. Feminist theory is a broad, transdisciplinary perspective that strives to understand roles, experiences and values of individuals on basis of gender. With regards to sexual exploitation, the feminist frame questions whether prostitution or any other exchange of sex for something of financial value is or can be voluntary. Feminist theory and its subsequent contrasting divisions also significantly impact service delivery, as direct service disagree in the interpretation of the statistical over-representation of women and girls seen in practice.³²

With regard to sexual exploitation or sex work/trade, scholars and advocates are generally divided into two opposing theoretical camps. One group, usually referred to as neo-abolitionists, condemns all forms of voluntary and involuntary prostitution as a form of oppression against women. Neo-abolitionists including radical and Marxist feminists, postulate that prostitution is never entirely consensual and cannot be regarded as such. The other groups including many sex positivists, argue that a woman has a right to choose prostitution and other forms of sex work as form of employment or even as a career.³³

i. Neo-Abolitionist Perspective: Radical and Marxist feminism serve as the root of current day neo-abolitionist perspectives with regard to sexual exploitation of women and girls. Radical feminism is rooted in its understanding of social organization and structure as inherently patriarchal, as sexism exists to maintain male privilege and patriarchal order.

Radical Feminists and Patriarchal theorists: frame issues of violence against women in a long line of institutional and paternalistic views. Assaults occur primarily because of institutionalized male privilege, as men believe it is their right to enact violence against women.

Radical feminist dispute the use of pornography, as they claim it causes harm and violence against women. This group generally view all commercial sex acts as patriarchal and oppressive.³⁴

Marxist Feminist: They generally view all forms of sexual commerce as a form of violence against women. Marxist feminist argues that sexuality is to feminism what work is to Marxism, that which is most one's own and yet taken away. Marxist feminism posits women's oppression on the economic dependence on men in a male dominated society, and argues that capitalism continues to be the overarching oppressor of women. As long as capitalism exists, women will live in a patriarchal state and economically depend on men in a society structured around social class.³⁵

In this model, economic exploitation includes many forms, primarily prostitution and pornography and therefore must be viewed as oppression of sex and class. This group of feminism specifically critiques the use of pornography and other forms of voluntary and involuntary sexual exchanges for money.

Catherine Mackinnon, a Marxist feminist legal scholar, argues that all forms of pornography, prostitution and sex trafficking are abuses of sex and a form of power taken away from women.³⁶

However, both Radical and Marxist feminism have been criticized for their focus on sexually exploited or trafficked victims and not the lack of women's rights to choose careers in sex work. Critics also argue that these forms of feminism do not support the autonomy of women currently exchanging or have exchanged sex for money when they choose to leave the field or provide any subsequent form of advocacy work.³⁷

Some critics also argued that capitalism is a current reality especially in countries like the U.S and Marxist feminism loses the ability to view gender, sexuality and class together within current day society.³⁸

ii. **Pro-Sex Perspective; Sex Positivism:** Advocates of this perspective hold that sexuality including paid forms, is consensual in many cases and that a woman should be free to make her own decision regarding the type of work in which she chooses to partake. Thus, any mandate or perspective dictating to women that their choice of work is wrong remains dangerous and patriarchal. Sex positivists shift the model of person- centered services from a typically neo-abolitionist model that rescues and protects victims from prostitution and sexual exploitation to providing services for women who work in the sex industry.³⁹

Critiques of this sex positivism are numerous. First, the neo-abolitionist view in itself directly disputes the main principal of sex positivism, as these two frameworks grapple with finding common ground on issues of pornography and prostitution. Others argued that sex positivism and the issue of consent cannot be addressed without also considering the high rates of sexual assault and abuse histories, in addition to a lack of economic options.⁴⁰

2.2.3 Political Economic Theory

The political economy perspective has evolved to recognize important tenets of intersectionality and is applied to all forms of sexual violence, sexual exploitation and trafficking. The political economic perspective describes the relationship between the state and the economy, arguing that violence against women occurs because of the economic welfare and political processes driving the state.⁴¹

The understanding is shared that political economy and lower social economic status may drive sexual commerce; however political economy perspective is rooted more in capitalistic differences in wealth alone, rather than differences in wealth as a result of systemic oppression against women. Thus, the political economy allows for unequal opportunity and pay for women and drives women to be more dependent and find opportunities to survive, thus shifting the discourse from individualized deviancy towards structural inequality.⁴²

In view of international prostitutions, women who are poor and have few options for survival may fall/ are likely to fall victims to traffickers or may prostitute themselves when they seemingly have no other choice. Without the possession of cultural or social capital, women ranging from exotic dancers to trafficked women struggle against economic, social and sexual oppressions. Women would not be compelled to sell sexual or erotic services if political environment at the policy level afforded equal opportunities to gain social capital, thus increasing poor women's vulnerability to being preyed upon or trafficked.⁴³

2.2.4 Push and Pull Theoretical Explication

This study also adopts the Push and Pull theory to explain the topic under investigation. The theory was first propounded by Ravenstein in England in the 19th century holding that individuals migrate due to different conditions that tend to push them out of the place they are present in, to another. The central reason for this is because humans generally desire a better state of life than they have. This framework further argues that the push factors include things like natural disaster, unemployment, family breakup and/or dissatisfaction with one's own life and environment while the pull factor is the opposite of push factors and include those factors in

another nation that attracts a person's desire for greater security, better job opportunities or the prospect of a more exciting life.⁴⁴

It should be however pointed out that, the push and pull factors are never the same for everyone, as changes in one's social class, age, and physical ability tend to determine them. As Portes and Borocz note, the theory is made up of a number of negative or push factor in the nation of origin that propel an individual to migrate in combination of a number of positive or pull factors that attract people to move into a receiving nation.⁴⁵ It is instructive to stress here that not all migrants are led to slavery, as some people who migrate to foreign land contribute positively to its development and progress.

In relation to the topic under investigation, the migrations of many young Nigerians to foreign countries are largely due to several factors, the push and pull factors inclusive. The economic, social and political atmosphere in Nigeria is unfriendly, to put it mildly. What's with unemployment, the dysfunctional social infrastructure and the menace of Boko Haram and lately the criminal activities of the Fulani herdsmen which remain unattended to by the government of the day. The hardship and insecurity being experienced in Nigeria compared with the 'safe haven' and attraction of greener pastures presented by western societies, had led people to 'consciously' go into modern slavery in order to enjoy better living conditions.⁴⁶

2.2.5 Objectification Theory

This theory as propounded by Fredrickson and Roberts (1997) explicates that when women are sexually objectified, they are treated as an object to be valued for its use by others, especially a situation where sexual desire makes them to single out and separate a woman's body or body parts from her as a person and see her as a physical object for sexual satisfaction.⁴⁷

Thus, sexual violence occasioned by objectification of women's dignity usually aggravates their body shame. There is a probability that a woman who has experienced abuses in the process of sexual exploitation would be subjected to psychological trauma because of how syndicates and clients violated her human dignity.

Obviously, it is the objectification of women, owing to patriarchy and usually sustained by gender inequality that drives human trafficking for sexual exploitation. Notable factors are the socio-economic impact of the SAP (1986-1993), early physical and sexual abuse of teenage girls, collapse of family values and honour, parental and peer pressure, and the need for sex workers.⁴⁸

Trafficking is prevalent owing to the portrayal of women as commodities that should be purchased and used when needed. This increases the risks of more women becoming people in need of sources of livelihood rather than people needed for legitimate service delivery.⁴⁹

Women in their 20s and above are also trafficked voluntarily or lured into the illicit business. Married women in Benin City also embarked on a journey for sex trade outside Nigeria after they are convinced on the lucrative nature of the business. A survivor of Human Trafficking reported that, to men who buy us, we are like meat and to everybody else in society, we simply do not exist.

This is simply a setback to women's dignity considering a situation where clients and syndicates place higher value on the sexual pleasure and money generated from prostitution respectively than the safety of the vulnerable groups.⁵⁰

2.3 Empirical Review

One important and largely neglected aspect of globalization with direct human rights implications is the increased trafficking of human beings, one of the dark sides of globalization. Globalization scholars often neglect the impact that most domestic policies crafted at the national level can have internationally. The domestic policy of most countries such as the legalization of prostitution affects the incidence of human trafficking inflow to countries. Most victims of International human trafficking are women and girls and vast majority of them end up being sexually exploited through prostitution.⁵¹ Many authors therefore believe that trafficking is caused by prostitution and combating prostitution with the force of the law would reduce trafficking.

Hughes maintains that evidence seems to show that legalized sex industries actually result in increased trafficking to meet the demand for women to be used in the legal sex industries.

Farley suggests that 'wherever' prostitution is legalized, trafficking to sex industry market place in that region increases. Prostitution fuels trafficking in person according to the United State Department.⁵²

The United Nations International Convention for the Suppression of the Traffic In Persons from 1949 had called on states to suppress prostitution.

Others disagree. They argue that the legalization of prostitution will improve working and safety conditions for sex workers, allowing sex businesses to recruit among domestic women who chose prostitution as their free choice of occupation. This, in turn, makes resorting to trafficked women less attractive.⁵³ While those who call for combating prostitution with the force of the law typically subscribe to the belief that prostitution is almost always forced and

rarely truly voluntary, the view that the legalization of prostitution may reduce trafficking is typically held by those who believe that the choice to sell one's sexual services for money need not always be forced, but can be a voluntary occupational choice.

Theoretically, the legalization of prostitution has two contradictory effects on the incidence of trafficking; a Substitution effect away from trafficking and a Scale effect increasing trafficking.⁵⁴ Which of these effects dominate in reality and whether legalization is therefore likely to increase or decrease trafficking, is an empirical question.

Two quantitative studies have tried to answer these empirical questions. Akee, Bedi and Co, find that prostitution laws have no effect on whether there is any reported incidence of trafficking between two country pairs in a global cross-sectional dyad country sample. They do find a negative effect of legalized prostitution on human trafficking in two of their 3 sets of instrumental variable estimations.

Jakobson and Kotsadam, on the other hand, find a positive effect of legalized prostitution on human trafficking in a cross-sectional monadic data set of 31 European countries.⁵⁵

The empirical analysis of this study differs from these existing literary works/studies. European countries as studied by Jakobson are only a sub-sample of relevant destination countries for human trafficking. This begs the question whether the findings can be generalized or is confined to Europe.

The researchers, Seo-Yeong Cho of the German Institute for Economic Research, Axel Dreher of the University of Heidelberg and Eric Neumayer of the London School of Economics and Political Science, analyzed cross-sectional data of 116 countries to determine the effect of legalized prostitution on human trafficking inflows. In addition, they reviewed case studies of

Denmark, Germany and Switzerland to examine the longitudinal effects of legalizing or criminalizing prostitution. They discovered that countries with legalized prostitution are associated with higher human trafficking inflows than countries where prostitution is prohibited.⁵⁶ The scale effect of legalizing prostitution, i.e. expansion of the market, outweighs the substitution effect, where legal sex workers are favored over illegal workers. On average, countries with legalized prostitution report a greater incidence of human trafficking inflows.

The effect of legal prostitution on human trafficking inflows is stronger in high-income countries than middle-income countries. Because trafficking for the purpose of sexual exploitation requires that clients in a potential destination country have sufficient purchasing power, domestic supply acts as a constraint.⁵⁷

Criminalization of prostitution in Sweden resulted in the shrinking of the prostitution market and the decline of human trafficking inflows. Cross-country comparisons of Sweden with Denmark (where prostitution is decriminalized) and Germany (expanded legalization of prostitution) are consistent with the quantitative analysis, showing that trafficking inflows decreased with criminalization and increased with legalization.⁵⁸

According to Olufemi Badru, prostitution instrumentalizes the human body as a commodity to be purchased, thus lessening his/her self-worth. According to him, if some feminists could criticize advertisements in which female models play roles as objectification of womanhood for commercial purposes, and do not also come out to criticize prostitution as objectification of womanhood for commercial purposes, then that shows inconsistency.⁵⁹

2.4 Ethics of Prostitution

Prostitution as a social phenomenon has been in existence for thousands of years in human history. The commercial sex industry has passed through a series of social and legal interpretations from “non-predatory sex crime”, “deviant act”, “legally institutionalized enterprise”, “consensual crime”, “organized form of crime”, “victimless crime and public order crime”, to an “illegal sector of informal economy”. As its definitions and interpretations changes, the nomenclature of its actors has also been going through a repeated transformations; that is from prostitutes and other derogatory terms, such as ‘whores’ or ‘sluts’ to the present one-commercial sex workers. The social and legal backups are possibly the reasons why the commercial sex industry continues to thrive. As mentioned earlier, the concept of prostitution had been going through nomenclatural metamorphoses. Under the auspices of sex workers activists, the term prostitution was replaced by the name “commercial sex” and “prostitutes” referred to as “sex workers” towards the end of 1970s.⁶⁰

The word prostitution is derived from the Latin word *prostituere* meaning: pro (up-front) and stituere (offer for sale). Therefore, prostitute is someone who publicly offers his or her body for sale. Siegel defined prostitution as granting non-marital sexual access, established by mutual agreement of the prostitutes, their clients, and their employers, for remuneration. This definition is gender-neutral because prostitutes can be gay and male or female. Prostitutes are referred to by sociologists as “street-level sex workers” whose activities are similar to any other service industry. Prostitution occurs in a variety of ways, such as full time prostitution; some engage in legitimate business in the day time and go into prostitution at night while some indulge in it as an auxiliary service.

Nowadays, there are interpretations of prostitution from the legal, economic, sociological, psychological, sexological and religious points of view. For example, according to the Christian morality, prostitution is seen as a clearly negative phenomenon, one of the depravity forms. This approach is revealed in the books of the Old and New Testaments, in particular.

From the point of view of sexology, prostitution is considered to be the provision of sexual services to clients at a pre-determined payment.

Sociologist A.O. Yakovleva gives the following definition: "Prostitution is a social phenomenon characterized by systematic, extra-marital sexual relationships that can be secret or open and have an emotionally alienated character".

A legal approach to understanding the above definition is disclosed through its consolidation in the legislation. For example, the law of the state of Pennsylvania (USA) defines it as sexual activity performed as a business.

In the draft Law of Ukraine "On the Regulation of Prostitution and Activities of Sex Establishments", proposing to consider prostitution as a form of entrepreneurial activity for the purpose of providing intimate services, the use of actions or measures that make it accessible to a person for the performance of sexual intercourse with another person on a paid basis.⁶¹

The aforementioned interpretation deals with prostitution, mainly from the standpoint of economic science, since it focuses on the business component of this activity. Accordingly, "A prostitution business is any business that derives funds from prostitution, which is regularly carried by a person under the control, management, or supervision of another".

Therefore, prostitution is the provision of sexual services (sexual intercourse, sexual intercourse satisfying in non-natural forms, the commission of any other sexual activity involving in particular the various forms of sexual perversion) in order to obtain income to different partners and not on the basis of personal sympathy, pleasant.

Prostitution is a form of entrepreneurial activity for the provision of sexual services on a paid basis to meet sexual needs. The presence of commodity-money relations and dissatisfied sexual needs are basic conditions, others influence indirectly and determine, mainly, the degree of development of this type of activity.⁶²

Most of us believe that prostitution is harmful. We believe that we are harmed if we sell sex and, perhaps, harmed if we buy sex. It is seen as so harmful that if it is ever permissible and appropriate to engage in prostitution, it must be as the last option available in a situation where the alternative is to suffer a life-threatening harm (such as starvation).

The belief that prostitution is harmful influences how privately and professionally, we approach the issue of prostitution. Even people with widely diverging views on prostitution legislation tend to share the underlying assumption that prostitution harms those who engage in it.⁶³

Arguably, if we accept the increasingly common view that casual sex is not harmful, we should accept that neither is prostitution. 'Casual sex', used here, refers to sex engaged in for the sake of enjoyment or recreation without long-term commitments and emotional attachments. For the argument, if casual sex might be harmful, so is prostitution. If casual sex is not harmful, however, prostitution—though, like most occupations, it has its downsides—is not harmful either. Engaging in prostitution has its costs. Though prostitution is not necessarily a high-risk

job, it is not a low-risk job either, most obviously because it carries with it a certain chance of catching sexually transmitted diseases.⁶⁴

Lars O Ericsson, claims that 'If two adults voluntarily consent to an economic arrangement concerning sexual activity and this activity takes place in private, it seems plainly wrong to maintain that there is something intrinsically wrong with it'. Though this might serve as an argument against prohibition, consent is insufficient to ensure harmlessness. We can be harmed by things we consent to. That is why we are usually careful about giving our consent.

Even if we accept that there are genuine costs associated with prostitution, however, this does not give us sufficient reason to reject it. Before we reject it, we should also count its benefits. We should then compare the sum of total costs and benefits in prostitution with the sum of total costs and benefits in alternative occupations.⁶⁵

One benefit of prostitution is that it renders it possible for young people—who are the ones most likely to be poor—to earn a significant income without education and without investment costs, and to do so while keeping substantial parts of their spare time free to pursue other goals.

When we compare the risks involved in prostitution with the risks involved in being a professional boxer, stunt artist, race car driver, deep sea diver, miner, policeman, or soldier—all of which are widely accepted occupations—it seems that prostitution is only moderately risky. The governmental New Zealand Accident Compensation Corporation interestingly categorises being a prostitute, which is legal in New Zealand, as safer than being an ambulance nurse. When we further compare the level of felt disgust in prostitution with the level of felt disgust in being a toilet cleaner, a sewer maintainer, a garbage worker, a coroner, or an embalmer—all of which are

also widely accepted occupations—being a prostitute does at least not appear to be exceptionally disgusting. Sex, after all, is by and large a positive activity.⁶⁶

If this is correct, we must concede that it might be rational to engage in prostitution, and for some, irrational to opt out of it. This, if true, has significant implications for how, privately and professionally, we should view prostitution and treat those who engage in it.

Prostitution mainly involves men paying women for sex. There are a lot of male and transsexual prostitutes too as well as some female customers. But in the overwhelming majority of cases prostitutes, male or female, service the sexual desires of men. Aside from the issue of legality, prostitutes work under lots of different social and economic conditions. Some walk the streets, plying their trade in cars or back alleys. Some work in brothels or hotels. Some prostitutes live by tricks, hour to hour while some have secretaries, appointment books, and well-heeled regulars.⁶⁷

Some would argue that prostitution is immoral. Even if the working conditions are improved, it is inherently degrading to sell your body. Against this, one might argue that as long as no one is being abused or manipulated, or coerced, so it is basically a fair transaction, selling sexual labor is no more degrading than selling many kinds of manual or even intellectual labor.

Some group of feminists argues that prostitution is intrinsically wrong, because it debases and dehumanizes women. It turns them into objects. It is intrinsically different from other forms of manual and intellectual labor.

One might well suppose that sex is different. It should be a two way street. Prostitution makes it a one-way street. It turns what should be intimate and mutual into something cold and

mechanical. But a lot of sex falls short of this, even when no money is involved. Guys get sex all the time by convincing women that they care. There are plenty of women who are ready to sleep with a guy just because he's rich or famous.⁶⁸

2.4.1 Feminist Argument

i. Radical Feminist

Since the 1980s, abolitionist studies have dominated the most part of contemporary literature on prostitution and sex trafficking. The first radical feminist wave was based on a discourse of sexual domination, arguing that prostitution is a categorical form of oppression and social subordination of women. For these radical scholars, prostitution is synonymous with sexual slavery, given that they frame prostitution and sex trafficking in terms of a violation of women's human rights. Therefore, the abolition of prostitution is considered the necessary condition to stop sex trafficking.⁶⁹

In 1984, Kathleen Barry, Charlotte Bunch and Shirley Castle launched International Feminism: Networking Against Female Sexual Slavery, which in 1988 became the Coalition Against Trafficking in Women (CATW) (2011), the leading abolitionist organisation in the fight against trafficking in women. These activists reject the idea of choice or free will defended by the liberal feminists, since they consider that prostitution is forced by definition. Likewise, Kathleen Barry, in her book *Female Sexual Slavery*, refuses to separate sex trafficking from prostitution, arguing that both of them constitute a form of violence against women. According to this view, prostitution, like rape, genital mutilation or incest is regarded as a form of sexual exploitation. In fact, radical feminists argue that sex is objectified, that is, transformed into a commodity to be sold and bought in the sex industry market. Through the act of prostitution, the

woman is reduced to a sexual object at the disposal of men, which destroys her human dignity. Hence, this approach presumes that the act of sexual exploitation is harmful in and of itself, because it is based on abuses and on mechanisms of dehumanisation.⁷⁰

Therefore, by affirming that prostitution harms women and that legal prostitution markets facilitate sex trafficking, radical feminists oppose the institutionalisation of sex work.

According to Carole Pateman, the *sexual contract*, by which women sell their own bodies in the sexual market, is based on a notion of consent. Indeed, radical feminists think that prostitution is fundamentally wrong, because as such, it turns the body into a commodity, thereby alienating it from the 'self'. For her, the contracting of the use of the body is different from other forms of employment, since the prostitute dissociates herself from her sexuality and femininity. In order for the client to buy the right to ownership of her objectified body, the prostitute must sell herself in a much more real sense than in any other type of work, which consequently requires her to develop strategies of disembodiment or distancing from herself.

Male domination is a form of control that operates in the production and reproduction of hierarchical gendered relations in society. Radical feminism points out that both prostitution and sex trafficking are underpinned by economic, political and social inequalities between men and women. Such a viewpoint provides a strong argument that links the sexist and sexualised nature of these phenomena with the modern patriarchal system. Here, North/South inequalities and the subordinated status of women are designated as the structural causes of this system of 'modern slavery'.⁷¹

Furthermore, radical feminism identifies victims of sex trafficking by their sociological characteristics. Portrayed as poor and naive women, such victims are perceived in this context as

being in need of help to be rescued from slavery and reintegrated into a new life, free from prostitution.

However, the radical feminist stance has received strong criticism from sex worker activists, since it tends to essentialise sexuality and the relationship between the sexual act and self-identity. Sex workers argue that sex work is not necessarily the only activity around which their identities are defined. This criticism by sex workers follows from the argument that radical feminism ignores the variety of meanings and the changes in perceptions and values that women have over their own sexual lives. In addition, the radical approach underestimates the fact that criminalisation could contribute to the marginalisation of sex workers.⁷²

Liberal feminists denounce the association made by radical feminists between migration for sex work and sex trafficking. Instead of addressing all migrant sex workers as victims of sexual trafficking, liberal feminists consider that some of them could be seen as active and rational actors, endowed with the power of consent and able to formulate political claims. In this new liberal point of view, migrant sex workers would also have the ability to organise themselves into groups and formulate political demands, whether in terms of regulation of sex work or in terms of labour, social and free movement rights.⁷³

ii. Liberal feminism

The liberal tradition conceives human beings as rational agents and defends an individualistic conception of human nature. It follows that being rational; individuals have the capacity to think and act rationally and are therefore able to affirm their personal choices in an autonomous way. For liberal feminists, in order to achieve gender equality, the legal and institutional barriers that impede women's access to the same rights and positions of power as

men need to be removed. For this reason, equal rights and equal access to education and economic opportunities become priorities of the liberal feminist struggle. From the liberal point of view, the underrepresentation of women in politics stems from the processes of socialization and education that occur in a differentiated way between men and women on the one hand, and from the legal restrictions that limit women's freedoms and rights on the other. Thus, the generalized domination of men over women is seen as a consequence of an institutional imbalance.⁷⁴

Liberal-inspired feminists and sex worker activists have started to conceptualise prostitution as a form of 'work', advocates of the liberal view, most of the members of the Global Alliance Against Trafficking in Women (GATW) and the Network for Sex Work Project (NSWP) – the two rival organisations of the Coalition Against Trafficking in Women (CATW) – state that only the use of force can be used as a criterion for defining a trafficking situation for purposes of sexual exploitation. Indeed, according to liberal feminism, the radical reading denies the agency of women who enter the sex trade on a voluntary basis. Instead, the liberal perspective emphasizes the freedom and personal choice of most sex workers.

In contrast to the image of the female victim described in the abolitionist discourses, this new approach portrays the figure of the female sex worker as an active subject, able to negotiate and claim political rights. In this context, female sex workers are conceived as self-determined individuals capable of transforming the power relations rooted in institutions such as family, home, marriage, the labour market, slavery, or prostitution.

Liberal feminists advocate for the decriminalisation of prostitution markets because they consider that both repression of prostitution activity and restrictive migration policies are, in fact,

responsible for the subordination of women. In this sense, they condemn abolitionist laws on the grounds that they put sex workers into situations of greater risk of violence and exploitation.⁷⁵

According to Anne McClintock, sex workers often find themselves unable to report dangerous clients, violent pimps, or rape cases to the police out of fear of being exposed to risks such as prison, exorbitant fines, deportation from national territory, loss of custody of their children, confiscation of their personal property, or eviction from their dwellings, among many others.

The basic claim of liberal feminist is that sex workers should have the right to exchange sexual services on their own terms and conditions. Such a perspective defends the possibility of these workers negotiating precisely the time, nature and prices of specific services they wish to offer, without any intrusion of the state, police, pimps, or customers. They also demand respect and dignity in their work, claiming the right to exercise their activity in safe and healthy conditions, and to organise themselves collectively as professionals. Removing sex workers' fundamental right to choose – whether to work, how to work, when to work, and where to work – is a flagrant infringement of their basic working rights, their integrity, and their humanity.⁷⁶

Sex workers typically engage in sex they don't desire. To the abolitionist, this turns her transaction into a hideous ordeal. Having sex with the customer is 'offensive and disgusting to the prostitute. It feels the same as the sex in rape. The abolitionist posits this universal repulsion as the flip side of prostitution is violence. Prostitutes are violated in commercial sex because they act without desire. The question is what about casual sex that happens without animating their wanting? Would it also be attributed as violence? Sex must not be romantically significant in order for it to be valuable.⁷⁷

Elizabeth Anderson arguably embraces a similar notion in making an autonomy-based argument against prostitution. She asserts that the prostitutes in selling her sexuality to a man alienates a good, necessarily embodies in her person and thereby subjects herself to his commands. The good embodied in her person is the good of sexual acts. She goes on to opine that prostitution does not enhance women's autonomy over their sexuality. It simply constitutes another mode by which men can appropriate it for their own uses. The realization of women's autonomy requires that some goods embodied in their persons, including their own sexuality, remain market-inalienable.

As earlier discussed, sex –casual sex that takes place against a woman's own valuations- against her own sexual desire doesn't just occur in prostitution but a common feature even in marriages and relationships.⁷⁸

However, prostitution has gained legal status in about 53 countries, limited legal in about 12 countries and illegal in 33 countries.⁷⁹

Legal Status:

1. Argentina,
2. Austria
3. Bangladesh
4. Belgium
5. Belize
6. Bolivia
7. Brazil
8. Bulgaria

9. Chile
10. Colombia
11. Costa Rica
12. Cuba
13. Cyprus
14. Czech Republic
15. Denmark
16. Dominica Republic
17. Ecuador
18. El Salvador
19. Estonia
20. Ethiopia
21. Finland
22. Germany
23. Greece
24. Guatemala
25. Honduras
26. Hungary
27. India
28. Indonesia
29. Israel
30. Italy
31. Kenya



32. Kyrgyzstan
33. Latvia
34. Luxembourg
35. Malta
36. Mexico
37. Netherlands
38. New Zealand
39. Nicaragua
40. Panama
41. Paraguay
42. Peru
43. Poland
44. Portugal
45. Senegal
46. Singapore
47. Slovakia
48. Slovenia
49. Spain
50. Switzerland
51. Turkey
52. Uruguay
53. Venezuela



Limited Legal Status;

1. Armenia
2. Australia
3. Canada
4. France
5. Iceland
6. Ireland
7. Japan
8. Malaysia
9. Norway
10. Sweden
11. United Kingdom
12. United States.

Illegal Status;

1. Afghanistan
2. Albania
3. Angola
4. Antigua and Barbuda
5. Bahamas
6. Barbados
7. Cambodia
8. China
9. Croatia
10. Dominica



11. Egypt
12. Grenada
13. Guyana
14. Haiti
15. Iran
16. Irag
17. Jamaica
18. Jordan
19. North Korea
20. South Korea
21. Liberia
22. Lithuania
23. Philippines
24. Romania
25. Rwanda
26. Saint kits and Nevis
27. Saint Vincent and the Grenadines
28. South Africa
29. Saint Lucia
30. Saudi Arabia
31. Suriname
32. Thailand
33. Trinada and Tobago



34. Uganda

35. United Arab Emirates.

In Nigeria, prostitution is illegal in all Northern States that practice Islamic penal code. In Southern Nigeria, the activities of pimps or madams, underage prostitution and the operation or ownership of brothels are penalized under sections 223, 224, and 225 of the Nigerian Criminal Code. Even though Nigerian law does not legalize commercial sex work, it is vague if such work is performed by an independent individual who operates on his or her own accord without the use of pimps or a brothel.⁸⁰

The Nigeria criminal system prohibits national and trans-national trafficking of women for commercial sex or forced labour. Nigeria is a signatory to the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

Prostitutes and those patronising them might not be aware that prostitution is a crime. Sections 223, 224 and 225 of the Criminal Code prohibit the existence of brothels and the practice of prostitution. Penalties for setting up brothels range from six months to two years jail terms. But it is worrisome that these laws are not enforced.⁸¹ A top ranking policeman, who pleaded not to be mentioned in an interview by FreePress, said the police do raid and arrest prostitutes, always.

He explained:

What people often overlook is that the Criminal Code itself does not help matters. It does not clearly define who a prostitute is. Really, there is no law against prostitution. What the law opposes is soliciting for men, not prostitution. Even the issue of brothels, how do you define what constitutes a brothel? These are

difficult terms to prove. But we raid them notwithstanding, not because of prostitutes but because of other related vices like crime.⁸²

2.5 Overview of Prostitution in Nigeria

After independence in 1960, brothels and prostitution that had been prohibited in the middle 1940s began to spring up again. The welfare and social services department created to rehabilitate child prostitutes started scaling down on its investigations of child prostitutes. By the early 1980s, street prostitution became a common sight on Allen Avenue, Ikeja and in some areas of Oshodi and later Kuramo Beach. In 1987, the Women's Center in Nigeria wrote a press release about the harassment, assault and rape of prostitute by law enforcement members.⁸³

Trans-national commercial sex work which started during British colonial West Africa began to grow into a transcontinental business in the 1980s. Starting in the mid-1980s, the trafficking of women to European countries such as Italy began to increase. In many of the cases, there were examples of coercion. Coercion happened in situations whereby the women or adolescents to be trafficked were asked to swear an oath that was administered by an African religion or juju priest. Some personal items such as bodily fluids were taken by the priests for keeping or used to administer the oath and seal the agreement. When the women reach the country of destination they are immediately indebted to the trafficker for transport and lodging fees and will have to pay off the debt before they are freed, if ever.⁸⁴ The United States Department of State Office to Monitor and Combat Trafficking in Persons ranks Nigeria as a 'Tier 2 Watch List' country.⁸⁵

In the 1980s, brothels began to spring up in the cities and prostitutes who move into the city were charged daily rent for accommodation. The 1980s also contributed to the beginning of call-ups or part-time prostitution by young graduates and students. In Lagos during the early

1980s, politicians accommodated in housing estates such as 1004 requested the services of young students as call girls and spent lavishly on these students with trips abroad.⁸⁶

In Benin City, the red-light district is around Ugbague Street. This started to be an area of prostitution in the 1940s. The women are known locally as asewo. Time out fun paradise located along Ugbague could be described then as the biggest sex market. It was a prostitute paradise, a haven of sinful lust. Women of various shapes, ages and sizes compete for attention. It was usually crowded like that of a political rally and because of stiff competition in the market, the women adopted aggressive marketing strategies. As the live band known as the Zion band dished out different tunes at Time Out Fun Paradise in Benin, two female dancers also serenade the guests with their suggestive dance steps. Their general stage mannerisms were erotic. There was hardly any seat or space to stand, as men and women squeezed their way in. The number kept increasing and fun seekers spilled outside. The provocative dressing and weird make-up the women wore show the stuff they are made of. Most of them wore bum shots and revealing tops. Some wore micro-mini skirts that barely cover their pants. Their bosom's split from the half-cup bra, which they throw into the face of men, and in their desperation, they slept with men openly. The more daring among them pullout their bosoms for their prospective client to see and feel while bargaining, saying in pidgin; '...touch correct bosom, bosom wey stand well well, e never fall'. The aim is to convince customer to 'play ball'.⁸⁷

Time Out Paradise was regarded as the hottest pub in Benin, but it certainly wasn't the only place prostitution was going on. City LJJ as it was called, located along sapele road was another sex rendezvous. The icing on the cake was that waiters there also served as pimps. Photographs of call girls were available for patrons to make their pick, so if they make their choice, the girls would be made available to them and probably discuss business. Thursday nights were special

nights, ladies night. From about 8pm, the commercial sex workers start amassing. Heavy smoking and drinking goes on there even as hawkers of various items still ply their trade. Business comes into full swing from 10pm. Sex is not exactly cheap at centre. Most of these sex workers pay their asking price between N6000 and N10000 for an all-night, while a quickie goes for about N2000. However, it depends on the customer's purse and bargaining power as well as the girl's marketing ability.⁸⁸

Also, free girls are on the prowl in the promises of Jonvee Kitchen. Some sit at tables and make passes at men. One of the side attractions at Jonvee was the performance of semi-clad female dancers who entertained guests. It was both for fun and for business. One of the ladies, who gave her name as Destiny, told some group of men that it was not her destiny to engage in the business. After some haggling and a bottle of palm wine, she said, 'if you give me N4000, I will go with you; just need money to take care of some things'. Asked why she was bartering her womanhood for cash, she said, '...na condition bend crayfish', meaning that if not for certain situations, she wouldn't have engaged in such a business.⁸⁹

Within Nigeria, the most common form of sex work is found within brothels or residences of sex workers. A steady rise in young students and unemployed graduates who use sex to earn income and acting as part-time prostitutes or call girls or sometimes called Aristo girls are changing the strategies used by sex workers. These young graduates and students use the services of pimps and call-ups as a modus of operation, while some frequent bars and restaurants. In some cases, porters or hotel staff acts as pimps and links between upper class Nigerians and the call girls. The aristo girls mostly serve upper class citizens and foreigners are better paid than the sex workers in brothels. Almost two thirds of brothel and street sex workers are traders, bar girls, hair dressers or have a second type of job. Brothels are in virtually every

major city in Nigeria and offer the cheapest form of service. The brothels are located in highly populated districts and slums within the city.⁹⁰

The reason behind human trafficking in Nigeria varies. Many scholars relate it to either economic, political, social and even cultural factors responsible for its increase. Poverty has been identified as a causal root of the global injustice of human trafficking and sex trafficking in particular. The desperate need for jobs to support their families makes women susceptible to traffickers who offer them high salaries. Similarly, Iris Yen recognises that trafficked women are either unemployed or earn no money.⁹¹ Poverty has been identified as one of the factors that drives Nigerian migrants to seek the services of human traffickers. The wish to be trafficked is linked with a desire to improve one's situation, as the following testimony shows:

I got to know that we were going to be fixed in paid employment outside Nigeria, especially in Europe and Benin Republic. Deep inside me I knew anything could happen. We may be raped or forced for sex or engage in prostitution. We were at their mercy. But we were prepared and determined to go out there and succeed.⁹²

Unemployment is also a serious socio-economic problem in Nigeria. Like poverty, unemployment is a visible feature in Edo State. Most individuals have carved out employment opportunities for themselves by becoming self-employed. Thus, the state, like most states in Nigeria, is overwhelmed with Okada riders, taxi drivers and traders. In addition, owing to a lack of job opportunities, some girls and women use sex as a means of economic sustenance, not just in Edo State and Nigeria, but in most parts of the world. Therefore, unemployment, like poverty, is advantageous to sex traffickers because girls and women who become victims of sex trafficking are desperate to earn a living.⁹³

In Edo State, particularly in Benin City, prostitution abroad has been normalized by portraying prostitution as glamorous and a way to make hard currency which represents a lot of money. According to Adams, the 'prosperity stories' of many Edo women who migrated to Italy in the 1980s and 1990s have resulted in a high rate of sex trafficking in the region. Encouraged by these success stories, young girls are willing to be trafficked because trafficked women who come home with riches from the sex trafficking trade are represented as being empowered and liberated.⁹⁴

While sex trafficking involves coercion and deception, many Edo girls willingly submit themselves to be trafficked because they see prostitution as a short period of their lives which can lift them and their families out of poverty. Although a minority of Edo girls are deceived into being trafficked, the majority are aware of the nature of their jobs abroad. This argument is mainly buttressed with traditional oath-taking (Juju practice) of sex trafficked victims before departure. The oath-taking normally involves the victim promising never to escape until she repay her debts. Additionally, victims swear they will never report their sex traffickers to the police. Therefore, this oath-taking normally reveals the nature of the work to the trafficked victim. However, motivated by prosperity stories of trafficked victims and alleviation from poverty, sex trafficked victims fail to comprehend the risk behind the nature of their work abroad. Currently, prostitution is a well-known medium to earn a living by women in most parts of Nigeria. In most parts of Nigeria, including Edo State, it is seen as a temporary stage in life which one must endure.⁹⁵

The sex industry itself is steeped with stereotypes and reproduced sexist and racist relations. In Europe, Nigerian women are used on a large scale by white men; they are hardly ever recognized as equal partners. The women also face brutal racism among their white male

clients. In Turin, Italy, Nigerian women organized a demonstration after six prostitutes were murdered and two disappeared within two months. Instead of exposing the women traffickers as criminals, victims of trafficking are often criminalized as foreigners who crossed state boundaries and sex workers who crossed the borders of mainstream morality¹⁰⁰. In the bid to recuperate border sovereignty and increase security, states often forcibly deport trafficked victims like illegal immigrants. In Greece for example, law enforcement officials are concerned with migrant women status as an undocumented migrant and not with any abuse they suffer at the hands of traffickers. In Greece, undocumented persons who are apprehended by the police are often treated like criminals, and are detained and deported despite being trafficking victims. According to Regina Desfinitou, a police major with the Division of Public Security, "if a woman has no travel documents, she must be expelled according to the 1975/1991 Alien Acts" (Human Rights Watch, 2000, November). The absence of government-supported services for trafficked women in Greece often results in an ad hoc and uncoordinated approach to their care. As a result, trafficked women who manage to escape cannot rely on the authorities for effective protection or for assistance with safe repatriation to their home countries. By allowing perpetrators to exploit trafficked migrant women with impunity - and by failing to effectively stem corruption among government authorities and law enforcement officials who facilitate trafficking of women for forced sex work, the "crime control" approach exacerbates women's vulnerability to abuse, thus treating victims as criminals. When police raid brothels, women are often detained and punished, subjected to human rights abuses in jail, and swiftly deported. Few victims dare testify against the traffickers or those who hold them, fearing retribution for themselves and their families, since most governments do not offer stays or adequate protection for witnesses.¹⁰¹

In 1999, 500 trafficked girls were deported from Italy, in January and July 2000, 3,000 Nigerian girls were deported from Italy, in March 2003, 88 girls were deported from Italy. By February 2004, 88 young girls between the ages of 19 and 27 years were deported to Nigeria by the Italian government. Between January and March 2004, over 1,000 Nigerians were deported from the Kingdom of Saudi Arabia for trafficking offences. Among the deportees were 370 minors between the ages of 8 and 14 years. In April 2004, 386 Nigerians were deported from Saudi Arabia including nine traffickers who were charged to court. On a monthly basis, it was reported that over 1,000 victims of human trafficking, mostly women and children, gets stranded in the Sahara deserted¹⁰².

In 2003, the Trafficking in Person Prohibition Act was passed into law and an agency, National Agency for the Prohibition of Trafficked Persons was formed to handle human trafficking in the country. UNAIDS estimate there to be 103,506 prostitutes in the country.⁹¹

CHAPTER THREE

METHODOLOGY

3.1 Research Design

In order to satisfy the objectives of the study, a case study design was adopted. A case study is an indepth study of a particular situation and useful for testing whether scientific theories and models actually work in the real world. The study employs a descriptive and qualitative research design. It also adopted a comparative study to investigate the cross- sectional patterns of prostitution laws among European or most destination countries of victims. This helps to analyze and measure the impacts of prostitution laws on human trafficking. It helps to connect recent trends and analyzing all points of view and therefore developing a model. Descriptive research portrays an accurate profile of persons, events or situations. It offers researchers a profile of described relevant aspects of the phenomena of interest.

3.2 Method of Data Sources

To achieve the study objectives, the researcher made use of both primary and secondary sources of data. Primary data was gotten from individual interviews. The researcher conducted excessive document review and reports. Review was conducted to collect data from various secondary sources. This includes reports and project documents from various international organizations/bodies like UNESCO, IOM, UN, Global Slave Index, etc, reports from local manuals and reputable journals, books, articles, data, websites and documentaries. The data also obtained from the existing working documents, reports, statistical data, policies, regulations were taken into account for review.

3.3 Method of Data Analysis

Content Analysis was used to quantify the occurrence of concepts in a set of historical or contemporary texts for better analysis and examination of the subject matter. Data analysis was also achieved from conducted reviews on transcribed interview. It involved coding the data before identifying and reviewing key themes. Each theme was examined to gain understanding of participants' perceptions and motivations.



CHAPTER FOUR

RESULTS AND DISCUSSION OF FINDINGS

4.1 The Demand and Supply Model

Like the market for any commodity or service, the illicit commercial sex market is a function of supply and demand. Like the market for any good or service (illicit or otherwise), demand is the key (but not the only) driving force, as the other components follow. When there is demand, supply will be found or produced, and distributors (in this case, pimps, traffickers, or those acting as their own distributors) work to ensure that the two shall meet. The stronger the demand, the greater the economic motivation to obtain and deliver a supply. The illicit markets of prostitution and sex trafficking are, like any other markets, driven by demand. Wherever demand occurs, supply and distribution emerge. Hence demand influences supply, it is indisputable that removing or reducing demand reduces or eliminates markets. The need for people to provide a “supply” and for pimps and traffickers to “distribute” the supply to buyers would not exist without demand. Given that people are the commodity exploited, supply is difficult to contain. Distribution is also difficult to contain, since the markets are highly profitable, arrested traffickers and pimps are soon replaced. Distribution requires relatively little skill, and supply is plentiful and easily acquired, presenting few barriers to entry or startup costs for pimps and traffickers.¹

One might view prostitution as a market where the demand side comprises individuals who purchase sex and where the supply side includes both voluntary prostitutes, traffickers and trafficked victims. Looking at different types of prostitution laws, it is clear that some countries have tried to combat prostitution and by extension sex trafficking by focusing on the supply side

of the market. In Romania, for instance, it was previously illegal to sell sex, but legal to buy sex. Law enforcement agencies were thus only arresting individuals who were selling sex while the demand side was left untouched. In other countries, such as America (except for a few counties in Nevada), it is illegal both to sell and to buy sex and so the laws aim at eradicating a market for paid sex, including both voluntary prostitution and trafficking, by targeting both the supply and the demand side. However, in practice most prostitution related arrests in the United States are made against those who sell rather than those who purchase sex. Although hard numbers on the seller-buyer arrest disparity are exceptionally hard, if not impossible, to come by, some estimates suggest that as many as nine out of ten prostitution related arrests are made against individuals who sell sex.²

The approaches are different; the Romanian prostitution law focused on the supply whereas American criminal laws (with very few exceptions) target both buyers and sellers. However, the law enforcement agencies in both countries have tended to go after the supply of sexual services rather than the demand side. In other countries such as The Netherlands and Germany, a third approach has been implemented. Prostitution in both countries is legalized and practices such as pimping and running brothels are permissible. Under such systems, there are no efforts made to deter people from selling sex or from buying sex. Law enforcement agencies instead work specifically to root out trafficking and other exploitative forms of prostitution, which ideally have not worked because it becomes difficult for these agencies to measure or detect those who consent (prostitution) to it and those who are coerced or forced into it.³

Among available alternatives to solve the problem of human trafficking for prostitution purposes, the plausible legislative approach to fix the problem especially here in Nigeria and beyond is to only criminalize buying sex. This model (the Demand Model) targets the demand

side in the market for prostitution, and was first introduced by Sweden in 1998, coming into effect a year later in 1999. Similar laws have now been implemented in several other countries, including Norway, Canada, Iceland, Northern Ireland, and France.⁴

However, the Model is also based on the notion that criminalizing individuals who are selling sex in an effort to reduce sexual exploitation may turn out to be counterproductive. While criminalization of selling sex may discourage voluntary prostitutes from entering the prostitution industry, sex trafficking victims are by definition forced, deceived, or coerced into selling sex and the risk of legal sanctions will therefore arguably not affect their behaviour in the market for prostitution. Criminalisation of selling sex may not have an effect on traffickers either; trafficking is already illegal in most countries and traffickers are not personally selling sex themselves. The main result of such a legislative approach may therefore be an increase in arrests of trafficking victims and an increase in the proportion of individuals in the market for prostitution who are subject to force, fraud, or coercion. In the worst-case scenario, advocates of the model might contend that criminalisation of the selling of sex could even lead to higher prevalence of sex trafficking than if selling sex were made legal. If the prostitutes who are selling sex voluntarily are discouraged from doing so by the criminalization of selling, supply may fall, which could drive up the price of buying sex. Traffickers would then enjoy greater profits and may respond to the price increase by trafficking a greater number of victims in order to make more money.⁵

People who engage in prostitution independently or because they are pimped or trafficked serve the same market, and if that market is weakened by reducing demand, there will be an impact on both trafficking and prostitution. While sex trafficking implies force, fraud or coercion, it may not be easy for either consumers or law enforcement to distinguish individuals

who are selling sex with their consent from those who do not. In a legalised environment, unlawful commercial sex acts can therefore measure up as being legal. In addition, prostitution has long been a stigmatized practice. Legalisation could therefore substantially increase demand, not only by removing the deterrent effect of punishment, but also by reducing stigma, which would make sex trafficking even more profitable. The net effect of legalising prostitution may thus be, at worst, an increase, rather than a decrease, in the prevalence of trafficking.⁶

4.1.1 Supply

In the trade business, supply refers to the source or objective availability of services. The supply of individuals willing to migrate and work is almost endless. The steady supply of persons trying to improve their lives, or those of their children, is created by a climate of relative poverty and political and/or social exclusion; a lack of educational or employment opportunities, domestic violence, discrimination and violence against women, children or ethnic minorities, government corruption; persecution; absence of the rule of law and natural disasters and war.⁷

Supply is a function of demand in the sex industry as there would always be a demand. Though both operate reciprocally, yet it remains obvious that supply is inevitable as there is always a demand to be met. Efforts to effectively reduce prostitution and sex trafficking by constraining supply have not usually been successful, aside from temporary effects or displacing markets to other areas. Where demand is strong, interfering with supply chains usually results in shifting to other sources or other means of distribution or making the trade discreet in that area. The service gap is too great to close by addressing supply only. Massive increases in victim services would still leave the majority of survivors un-served. While it is necessary and just to

assist survivors, and expansion of those services is acutely needed, the interventions are not designed to prevent or reduce the occurrence of exploitation.⁸

4.1.2 Demand

In investigating the causes underlying human trafficking, previous research such as; *'Increase in Human Trafficking and Irregular Migration' 2017*, *'The Problem of Nigeria is Slavery, Not White Slave Trade: Globalization and the Politicization of Prostitution in Southern Nigeria'*, *Irregular Migration, Trafficking and Smuggling of Human Beings: Policy Dilemmas in the E.U'*, *'The Economy of International Prostitution in Benin and the Place of Purray boys'*, and many others has often focused on the supply and delivery of trafficked persons. Research has also examined the traffickers who supply the victims and the systems and means by which they operate. Very important, but receiving less attention, is the demand side of human trafficking. In marketing and economics, demand typically refers to “the desire and preference for a particular commodity, labor or service”. Demand can be elastic or inelastic: whereas elastic demand for a service fluctuates depending on the price of the good or service, inelastic demand for a product or service remains stable despite price fluctuation, meaning that consumers will pay almost any price for the product or service. Conversely, a greater availability of individuals providing services at lower prices will result in more customers, hence, greater demand. One obvious fact is that as long as it has to do with sexual satisfaction, there will always be a demand and the availability of providing these services invariably increase this demand.⁹

In the case of prostitution, worldwide demand has always existed. The booming sex industry is fueled almost exclusively by males purchasing the sexual services of women, girls, boys and men. The sex industry is expanding from traditional brothels and street prostitution to

escort services, private clubs and residences, massage parlors, advertisements through the internet and online (child) pornography. The male demand for prostitution is said to be the “most immediate and proximate cause” contributing to the expansion of the sex industry. Were it not for men’s demand to purchase sex, pimps, recruiters and traffickers would not generate a profit and “the prostitution market would go broke”.

Both prostitution and sex trafficking arises’ from a common source: men’s decisions to buy sex. The behaviour cannot be considered a normative or intractable problem beyond the reach of intervention.¹⁰ Many studies have examined men’s motivation for buying sex and found that there is a wide range of reasons for procuring sex from prostitutes, which might include; seeking intimacy, seeking sex without intimacy, seeking variety (fulfilling a desire for sex with women of various “types,” based on ethnicity, size, age, hair color, etc.), thrill-seeking (being drawn by the “thrill of the hunt” and the illicit nature of prostitution), pathology (drawn by compulsion, addiction, or by forms of sociopathy, psychology, or misogyny where the intent is to control and harm) and many other reasons.¹¹

From the arguments above, one would conclude that demand is heavily influenced not only by prices, costs and revenues, but also by social and cultural attitudes and practices within a country. The exploitation of women in the booming billion dollar commercial sex and entertainment industry is driven by a lot of factors as discussed in pervious chapters.

4.2 Comparative Analysis

Most countries, foreseeing it as a solution to the problem of trafficked women for sexual exploitation, legalized prostitution, thinking that legalization of prostitution would reduce the number of trafficked women, decrease the number of women that deal with prostitution and will

protect the sex workers, so that they wouldn't feel discriminated but enjoy the rights equally given to those others. To determine to an extent if actually the legalization of prostitution decreases or increases human trafficking for sexual purposes, and the impacts of prostitution laws on human trafficking, we would be analyze comparatively the different models applied by destination countries and the inflow of trafficked victim for sexual purposes in those countries.

4.2.1 The Dutch Model of Prostitution Control

The Dutch model of prostitution is considered unique in the world. In 2000 Netherlands adopted a law that legalized prostitution in this country; the arguments that were used pro legalization were as follows; legalization of prostitution would stop trafficking in women that were migrating for prostitution; legalization of prostitution would protect minor females from prostitution; legalization of prostitution would take prostitutes away from streets etc. "Main objectives of this law were the regulation for employment of prostitutes through a system of granting licenses, protection of persons from forced prostitution, protection of minors from sexual exploitation". Prostitution is allowed to the persons that reached the age of 18 and clients shouldn't be younger than 16 years old. All involved persons in prostitution should bear identification documents and should be registered in the system of international taxes. The main reason for legalization of prostitution from Dutch authorities is considered to be the war against trafficking in persons for sexual exploitation. However, did the legalization of prostitution affect (or not) in the decrease of the number of the trafficked person for sexual exploitation in this country!¹²

After the legalisation of sex industry in Netherlands in 2000, the sex industry increased by 25 percent. A report that was made for the Governmental Budapest Group shows that 80% of

woman that are practicing prostitution in public houses in Netherlands are trafficked from other countries. According to some data, the number of trafficked persons per year is several times higher and it goes from 1.000 to 7.000 trafficked persons, and in the last years a great number of public houses are closed down under the suspicion of criminal activity.” Another argument that was put forward in Netherlands for the legalisation of the prostitution was that this law shall help to end the prostitution among minors, but in fact the numbers show the opposite. After the legalization of prostitution the number of minors in prostitution increased by three times, this is according to an organization for protection of children rights in Amsterdam. Among this group of minors there are nearly 5000 female Nigerian children.¹³

4.2.2 Swedish Model of Prostitution Control

In 1999 Sweden adopted a law for purchase of sexual services, whereby the purchase of sexual services is considered as a crime (buying), but not the offering of sexual services (selling). Upon being in force of this law the results were evident. According to the data of national and local police there are more than 1000 woman currently involved in prostitution. The Swedish law foresees severe punishments toward purchasers of sexual services which will be prosecuted. The fine for sex purchasers is upto 5000 Euros. The higher the salary, the higher is the fine, i.e. depending on the annual incomes. Except fines, other punishments like imprisonment are also given for the purchaser of sexual services. The purchasers of sexual services are considered to be people that have families and steady living, most of them when arrested accept the guilt and are ready to pay the fine even when it is too high, in order to avoid imprisonment and court sessions, and they are afraid that the fact that they are caught for prostitution will be learnt by the spouses and members of their families.¹⁴ According to the Department of City Police of Stockholm, Anti-Trafficking Commission, the number of prostitutes on the streets decreased evidently from 1,995

to about 650 of them on the streets. In 2010 after an inclusive investigation the number of women or girls on the streets was 175. In 2013 there are around 10 prostitutes¹⁵. This situation in the area and on the streets of Stockholm in a city of about 850,000 inhabitants speaks about the success of this Department and also of other institutions that work against prostitution and trafficking in persons. So, while countries are always facing the increase of this phenomenon, especially the countries that have legalized prostitution, in Sweden this phenomenon is decreasing.¹⁵ If we compare the number of trafficked females in the Scandinavian neighboring countries where prostitution is legal, Swedish law seems that it has reduced the number of trafficked persons. ILO in 2004 estimated that the number of trafficked persons for sexual exploitation in Denmark was 2250, whereas the estimated number for Sweden was 500. This means that the number of victims of human trafficking in Denmark is more than four times of the one of Sweden. It is evident that the Swedish law reduced the number of trafficked persons, compared to the countries that consider prostitution as legal activity.¹⁶

4.2.3 German Model of Prostitution Control

In 2002 Germany adopted a law whereby it legalized prostitution in this country. Today prostitution in Germany is regulated by this law and it is considered as a "regular job", it is subject to taxes and retirement contributions. Germany is known to be one of the biggest markets of prostitution in Europe, with about 150,000 people that work as prostitutes. Annual estimations of trafficked victims for sexual exploitation in Germany show that the number of victims for sexual exploitation in Germany between 1996-1997 decreased gradually, whereas in 2001 the minimal number of victims was 9,870 and the maximal was 19,740. Nevertheless this number increased after the legalization of prostitution in 2002, this number increased to 11,080 - 22,160,

and to 12,350 - 24,700 from 2003. In 2004 ILO estimated that in Germany there were around 32,800 trafficked victims, which is 60 times more than the number of victims in Sweden.¹⁷

Before the new law, prostitution itself was not punished, but it was considered immoral. The authorities tolerated brothels, euphemistically referring to them as "commercial room rental." Today, just over 11 years after prostitution was upgraded under the 2001 law, there are between 3,000 and 3,500 red-light establishments, according to estimates by the industry association Erotik Gewerbe Deutschland (UEGD). There are an estimated 500 brothels in Berlin, 70 in the smaller northwestern city of Osnabrück and 270 in the small southwestern state of Saarland, on the French border.¹⁸ The great increase in the number of asylum seekers seen in Germany in recent years has an impact on the number of victims receiving support in Germany's specialised counselling centres for victims of human trafficking. Looking at the statistics published by the specialised counselling centres for victims of human trafficking over the past few years, it can be seen that in some regions of Germany the number of cases involving victims of human trafficking in the context of migration and flight have risen significantly in line with the increase in the number of refugees in Germany overall.¹⁹

A Speech by Dr. Ingeborg Kraus at the Italian parliament in Rome, 2018 made some clarity about Germany's model of prostitution law.

She states that, I am honoured today to have the opportunity to share our experiences with a law that legalises and normalises prostitution. Far from protecting the women, the German model has become 'hell on earth' for them. I use this strong comparison on purpose, because the situation in Germany has become extremely serious. I will give you a short overview of the effects of this law. Before I came to this conference, I spoke to two police inspectors who have long working experience in the milieu: Helmut Sporer and Manfred Paulus. Sporer said that prostitution has risen up to 30% since 2002. We

have made a huge mistake implementing this law and have gone in a direction few could have imagined would be so disastrous. Prostitution has nothing to do with sexual liberation, it is just money that counts. The profit of this business is enormous: we are talking about 15 billion Euros of direct transactions every year. It has become an important industrial sector where women's bodies are objectified and used as a commodity. 3,500 brothels are officially registered. But we know that there are at least as many illegal brothels. So the main goal, that wanted to bring the women out of the darkness, has totally failed.²⁰

Dr. Kraus went further to state;

It is the German state, by normalising prostitution and by guaranteeing a total decriminalisation of the sex buyers that has contributed to an enormous increase in demand. We witness the creation of mega-brothels with the capacity to accommodate around 1000 buyers of sex at once, and even more. This economical model of the sexual exploitation of the women has also led to an economical exploitation of those women: they earn 30 Euros for sexual intercourse, while they must pay around 160 Euros for a room and 25 Euro taxes per day; So they have to serve 6 men before starting earning money. These women are subjected to the rules of a free market of capitalism at its roughest. Their bodies are exploited to the maximum. We observe the kind of inhuman working conditions we thought have been surpassed since the beginning of the 20th century: these women live, eat, and sleep in the same room in which they receive their "clients". Many among them lead a Nomad life, moving from one city to the next and one brothel to the next to offer the sex buyers 'variety'. The behaviour of the sex buyers became perverted overnight with a law normalising prostitution, whose message to men is clear: There is 'a right' to buy sexual acts and there is no need to feel guilty about that any more. The clients therefore see themselves entitled to demand more and more 'services' for the lowest price. The makeup of women in prostitution has changed. With the opening of Europe to the east, women come from the poorest regions of Europe and Africa. Today around 95% of prostituted women come from other countries. It has become a prostitution of poverty. 30% of these women are young, under 21-years old. Often they are sacrificed by their own families in order to support them financially. The

majority do not speak German. These young women come to Germany and are subjected to the perverse desires of these buyers. They aren't capable of saying "no", of defending themselves. They are completely overwhelmed by the situation and completely traumatized by it. Out of 400,000 prostituted women (an estimate that is more than 15 years old), only 44 registered as independent business. The vast majority remains illegal, which means that they have no access to a social system that would allow them to see a doctor.²¹

A study by the German ministry for family affairs in 2004 demonstrated that 87% of the women in prostitution reported having been exposed to physical violence, 82% to emotional violence, 92% to sexual harassment, 59% to sexual violence. These figures alone make it difficult to compare prostitution to a job like any other. And this research was conducted more than 10 years ago; things have since deteriorated significantly. The police are rendered powerless when faced with a law that has strengthened the prostitution system and has made criminals into recognised business men. The law from 2002 didn't help to prevent trafficking at all; in 2000, they were 151 persons condemned for trafficking, in 2011 only 32. The police recorded 636 cases of trafficked women in 2011, 13% of them were younger than 14 years old, 77% were under 18. The police feel helpless and complain that they have just little power to intervene, because without being able to deliver an evidence for the crime, they cannot enter the brothels. Also, the legal proceedings depend on the women's statement. Very often they are too afraid to give testimony and the procedures get stopped.²²

Dr. Kraus, when asked if it is the German state that encourages those men to impose their sexual acts to thousands of women explained that;

Approximately 50% of the punters are in relationships, so women are being cheated by their partners and husbands: Do the calculation yourself: every day 1.2 Million men buy sex. They are not the same every day. We must realize, that Germany is a country where

millions of women are being cheated on. Those women call themselves “Schattenfrauen”, which means women of the shadow. They stay in the shadow of the system of prostitution, their voice and their Trauma are being ignored. They are left alone with the humiliation and indignity, which is also typical for trauma victims. Some of them have contacted me and they say that it is much worse if a husband goes to a prostituted woman than if he falls in love with another woman. Prostitution destroys the ability to love and therefore our fundamental value system. Trust, mutual respect and real intimacy become impossible.

It is also a severe problem for Europe and social solidarity among all European citizens. Germany doesn't seem to have a problem in using the most vulnerable women from the disadvantaged EU-countries, to exploit them sexually and reject them, when they are totally traumatised. People from those countries, when they have the opportunity, ask us, why we are doing this to their girls? The politicians realised that something went wrong with this law and made small changes. Like trying to correct 10% of the “wrongs” done. Since July 2017 we have a new law called ‘prostitutes protection law’, where some regulation are being implemented. This is what Manfred Paulus thinks about this law: It is not with a condom that you will fight against international organised crime! The people who made this law have been totally naive! The women who come from abroad and work in the red light district don't get to know the Germany that the Germans know and appreciate. No, they are prisoners of a parallel society that is highly criminal. Germany, with this law, became the pimp of the most vulnerable women in Europe.” There is only one way out of this. We need the Nordic Model Now!²³

Despite the negative side, legalization of prostitution has the positive side in the aspect of protection of health of the workers by creating conditions for regular inspection, better health conditions, decreases the possibility of sexually transmitted diseases. The attempts of the countries that through the legalization of prostitution shall influence on the decrease of the trafficked persons for sexual exploitation purpose did not show to be successful. As a potential means to displace sex trafficking, legalizing prostitution has an obvious appeal. In addition to being a desirable policy among many of those who engage in prostitution on a consensual basis,

legalization is assumed to help the market crowd out violent clients, abusive pimps and evil traffickers. Advocates argue that making it legal to sell sex increases the supply of consensual prostitution whereas making it legal to buy sex attracts better-behaving consumers—both of which should make the market for commercial sex less exploitative. This line of reasoning makes sense, and is also what basic economic theory would predict.²⁴

The dangers and misshape of the trade did not prevent nor deter young people from travelling to Europe. The economic benefit remained the propelling factor. Some of them felt that if they could make it to Europe, their future will completely change. Thus, from the 1990s, there were already in Benin an organized network of traffickers and as the years went on, their numbers and categories increased. At first, you only had those who sponsored girls to Italy directly through airplane. When it became difficult to directly sponsor girls, the traffickers began to send the girls through the eastern block of Europe while the newest group took their victims through northern parts of Africa.²⁵

Some studies and research indicate a rise in human trafficking for prostitution purposes. A paper that analyzed up to 150 countries suggests that “countries where prostitution is legal experience larger reported human trafficking inflows.” A study of two different sources of trafficking data in Europe similarly concluded that sex trafficking is “most prevalent in countries where prostitution is legalized.” And other papers have found different results regarding the potential effects of making prostitution legal.²⁶ Moreover, the data on sex trafficking and doing research on this topic is admittedly exceptionally difficult.

Chief W.L. Harman, Princeton, West Virginia Police Department, 2015 states that, “As long as there’s a demand, there’s going to be a supply. We really need to look at who's making

the money: the pimps and the traffickers. But where are they getting the money? They're making money off men who are willing to pay

Suzanne Keopplinger, Executive Director of the Minnesota Indian Women's Resource Center, 2016 is of the view that, "Pimping and trafficking are the same thing. What they both come down to is sexual servitude. Whether someone is being moved from state to state, country to country, or street corner to street corner doesn't make any difference. It's about compelling women and girls to sell sex and then taking their money."

Interview with the Atlanta Police Department Vice Unit, 2010, Operation Reveal, recognizes that we can't solve this issue simply by dealing with the prostitutes. Customers also are contributing to the problem, so we need to focus our efforts on them as well."

Mayor Ashley Swearengin, Fresno, California, 2017 states that, "It's like we have this triangle – the pimps, the women and the johns. The johns go out and break the laws, but they're untouchable."

Jeri Williams, survivor & program coordinator for Portland, Oregon's Office of Neighborhood Involvement, 2018 states that, "If there were no customers there would be no sellers. It is not much of a deterrent if the customer is not going to be prosecuted."²⁷

4.2.4 Spain's Model of Prostitution Control

Spain is for the most part a destination for victims, mainly from Eastern Europe (mainly Romania), Africa (mainly Nigeria), Asia (mainly China) and South America (mainly Paraguay), as well as for transit to other destinations, chiefly European countries such as France and the United Kingdom. Prostitution was decriminalized in 1995. Prostitution itself is not directly

addressed in the Criminal Code of Spain, but exploitation such as pimping is illegal. The only article in the Code dealing specifically with adult prostitution is Article 188, which bans pimping. Owning an establishment where prostitution takes place is in itself legal, but the owner cannot derive financial gain from the prostitute or hire a person to sell sex because prostitution is not considered a job and thus has no legal recognition.²⁸

Brothels have been illegal in Spain since 1956, but these days, the vast majority of them are loosely disguised as "whiskerías" or "clubs" and are left to function as normal. What is totally illegal is a public solicitation for sex, also known as "street prostitution." Both the sex worker and his or her client can be prosecuted in some parts of Spain, including Barcelona for soliciting sexual acts in public. Additionally, pimping is expressly illegal in the country, but Catalonia provides government permits "to gather people to practice prostitution."²⁹

The influx of immigrants has led to the growth of prostitution in Spain, where up to 300,000 women are estimated to be selling sex in flats, hostels, streets, parks or at around 2,500 "clubs" functioning as brothels. One of the world's most lucrative criminal trades moves an estimated 18 billion euros in Spain annually. Around 90 percent of the sex workers are migrants from countries such as Brazil, Colombia, Nigeria, Romania or Russia. There is abundant judicial evidence that many of the women have been lured to Spain with false promises and forced into prostitution with threats, beatings, rape and even outright torture. However, prostitution is not technically illegal, and police can only act in cases in which prostitutes report their pimps for coercion. That is something that the women, who may be in the country illegally and may not even speak Spanish, are often afraid of doing. Prostitution has also not yet been clearly defined as a legal activity, preventing police from inspecting brothels to make sure that sex workers are adequately treated. It is mainly on a local level that authorities have taken sporadic action such as

information campaigns, closing premises or placing video cameras in neighborhoods to dissuade potential clients. Nearly 30 percent of Spanish men admit to having bought sex, according to the National Statistics Institute and may downplay reports of violence or oppression. The abundant offer of cheap women with a variety of exotic looks has made many young men regard prostitution as a normal leisure activity, with the average age of the clients dropping to around 30.³⁰

Spain is one of the world's top destinations for sex tourism. The country generates \$22 billion a year from sex work, by far the largest per capita revenue in Europe. And with nearly 2,000 brothels, including the biggest one in Europe, Spain has the third highest rate of prostitution in the world, with an estimated 300,000–400,000 sex workers. Sex work is tolerated, but not regulated. Women won't be prosecuted for soliciting sex, but they are also not protected from the exploitation that can accompany the trade. They don't receive government-mandated benefits, nor are they guaranteed a minimum wage; all they are guaranteed is the ability to work without being penalized.³¹

Spain's legal vacuum has also given rise to a major sex trafficking problem. A police report from last year revealed 5,695 cases of human trafficking in the previous five years, the majority forced to work in the sex industry. Academics say that in Spain up to 90 percent of sex workers could be under the control of organized crime networks, trafficked from other countries. In the 1980s, most sex workers were Spanish, but today, 80–90 percent are immigrants, mostly from sub-Saharan Africa, Latin America, or Eastern Europe.³²

Sex workers in the Mediterranean country, as a result, can be separated into two categories: those who chose to enter the trade and those who were forced into it. Yet the two types of workers

occupy the same space. And for an outsider looking in, the line that separates these worlds can get blurry.³³

It's not a problem unique to Spain: decriminalizing prostitution makes it safer for sex workers, they can call the police if a man gets violent and they can access medical care if they're worried about a sexually transmitted infection, but it also likely increases rates of trafficking. Nigerian mafias traffic women into Spain through two main routes: flying them in with a fake passport, usually through Paris or London, and by land, through the Sahara Desert and into the two Spanish enclaves that border Morocco; the same treacherous route on which thousands of migrants have lost their lives trying to enter Europe in recent years. The women aren't always told they will work in prostitution. Most often, they're recruited in Nigeria by neighbors or family members; in other words, people they trust with the promise of a better life in Europe. They are told they will pay off the travel fees by working as maids or nannies. Some women also know they'll be working as sex workers, but they don't expect to face the violence, rape, and emotional abuse most traffickers use to control and instill fear in trafficked women. Before they leave Nigeria, the women often go through traditional rituals to "bond" them with their traffickers. They take an oath to pay off their debts and a failure to do so will result in either them or their families being hurt.³⁴

"It's a very psychological type of exploitation," says Carmen Meneses Falcón, an anthropologist at the Universidad Pontificia Comillas in Madrid.

She says Nigerian traffickers use the language and culture they have in common with the women to keep them under control, even after they have paid off their debt. "The traffickers tell them, 'If you go to the police, the police will put you in jail,'" she adds, which in itself could be true as the women are in Spain without legal papers. As a result,

the few Nigerian women on Carrer d'en Robador stay in the shadows. They stand on their own; never in groups, like some of the other sex workers. They often walked away when I approached them, and the ones that didn't immediately run off seemed not to understand my Spanish, or at least pretended not to. Whether their pimp was close by was hard to tell, but I got the sense that they felt they were constantly being watched.³⁵

To say that prostitution is big business in Spain would be a gross understatement. The country has become known as the brothel of Europe, after a 2011 United Nations report cited Spain as the third biggest capital of prostitution in the world, behind Thailand and Puerto Rico. Prostitution boomed since it was decriminalised in 1995. Recent estimates put revenue from Spain's domestic sex trade at \$26.5bn a year, with hundreds of licensed brothels and an estimated workforce of 300,000.³⁶

Supporters of decriminalisation claim it has brought benefits to those working in the trade, including making life safer for women. Yet this vastly profitable and largely unregulated market has also become infested with criminality, turning Spain into a global hub for human trafficking and sexual slavery. Prostitution becomes sex trafficking when one person moves, detains or transports someone else for the purpose of profiting from their prostitution using fraud, force or coercion. In the UK, thousands of women are thought to be trapped in sexual servitude, but the scale of the problem in Spain is staggering. Until 2010, the law didn't even recognise human trafficking as a crime. Now the Spanish government estimates that up to 90% of women working in prostitution could be victims of trafficking or under the control of a third party such as a pimp who is profiting from them. Between 2012-2016, security forces in Spain rescued 5,695 people from slavery but acknowledge that thousands more remain under the control of criminals.³⁷

Since it passed its first anti-trafficking laws in 2010, the government has been scrambling to get on top of this crisis, spending millions of euros on an emergency plan to target the individuals and gangs operating with impunity. In 2015, it went further and created formal alliances between security forces, prosecutors, judges and NGOs, to rescue victims and prosecute the perpetrators. Rocío Mora, Apramp's co-founder and director, says what Spain is facing, is a huge violation of the fundamental rights of women and girls; anyone labouring under the impression that the majority of women working in prostitution in Spain are doing so by choice is deluding themselves. "The sex industry profits from the sale of women who are being controlled and exploited through debt, violence or psychological manipulation," she says. "There is huge demand for prostitution here. It has become so normalised that it's just seen like any other leisure activity."³⁸

One survey in 2008 found that 78% of Spanish people consider prostitution inevitable in modern society. And demand is huge; another survey, conducted in 2006, found that nearly 40% of Spanish men over the age of 18 had paid for sex at least once in their life. Before, it was largely older men sneaking away from their families. Now, both the women on the streets and the sex buyers themselves are getting younger.³⁹ Maria, a trafficked survivor in Spain states that;

The social stigma isn't the same as it was when I started out," she says. "We have a generation of young men growing up believing they have the right to do anything to a woman's body if they have paid for it, and they don't have to worry about the consequences. First, we are fighting a crime that is socially acceptable, because prostitution is accepted and embraced by many people here." Second there is geography: "We are at the centre of all major migratory routes. The main victims we are seeing trafficked and forced into prostitution are Romanian, West African and South American. You can cross from Romania to Spain with an ID card. Africa is just 15km from us. We have a historic and a linguistic connection to South America. As in many countries, a

prosecution is almost impossible without a victim willing to disclose their situation and testify against their exploiters. “There is great fear among victims that if they tell the police, they will be sent back to their countries with their debts unpaid, It makes policing very difficult; if the women don’t ask for help, there is a limit to what you can do. Here in Spain, prostitution itself isn’t illegal, running a brothel isn’t illegal, so you have to prove that what is going on is more than meets the eye.⁴⁰

The Spanish Socialist Party (PSOE) is drafting a sweeping bill to address the legal limbo affecting prostitution, which is neither regulated nor criminalized in this country.

4.2.5 Norway’s Model of Prostitution Control

The possibility of criminalizing the purchase of sex was discussed in an official report in 1997; however, neither the Justice Department (Justis- og politidepartementet) nor the Storting (Parliament) were in favour of taking this step. The Department did, however, promise to re-look at the situation in two years. Norway then criminalized the purchase of sex from people under the age of 18 in 2000 (Law 76, 11 August; Penal Code act section 203). The debate which finally led to the introduction of the sex purchase ban concerned the effects of the arrival of women from Africa, typically Nigerian, on the streets of Norway. It was argued that human trafficking was fuelled by a demand for sex and that therefore a ban was necessary, and whether solicitation was offensive. In November 2008, the Storting passed legislation which criminalized purchasing sex (*sexkjøp*). This became Section 202a of the Norwegian Penal Code.⁴¹

Section 202a

Any person who

(a) engages in or aids and abets another person to engage in sexual activity or commit a sexual act on making or agreeing payment,

(b) engages in sexual activity or a sexual act on such payment being agreed or made by another person, *or*

(c) in the manner described in (a) or (b) causes someone to carry out with herself or himself acts corresponding to sexual activity,

shall be liable to fines or to imprisonment for a term not exceeding six months or to both.

If the sexual activity or sexual act is carried out in a particularly offensive manner and no penalty may be imposed pursuant to other provisions, the penalty shall be imprisonment for a term not exceeding one year.

The ban extends to Norwegians outside of Norway (extra territorial law).⁴²

The report finding based on this enactment was released on 11 August 2014. It stated that the law had met its mandate, and that the street market had been reduced, and probably also the indoor market, but that this was more difficult to estimate. The ban on purchasing sexual services has reduced demand for sex and thus contributes in reducing the extent of prostitution in Norway. The enforcement of the law, in combination with the laws against trafficking and pimping, makes Norway a less attractive country for prostitution based trafficking than what would have been the case if the law had not been adopted. Furthermore, the economic conditions for prostitution in Norway are reduced following the implementation of the law. These effects are in line with the intentions of the law and are thus not considered as unintended side effects. This report does not find any evidence of more violence against prostitutes after the ban on buying sex entered into force.⁴³

Norway is a destination and, to a lesser extent, transit and source country for women and girls subjected to sex trafficking. Trafficking victims identified in Norway primarily originate

from Eastern Europe and Africa, particularly Bulgaria, Lithuania, Nigeria, and Romania, as well as victims from Pakistan and the Philippines. Norway criminalized buying sex in 2009, but critics said the law would push prostitution underground, making women more vulnerable and increasing the likelihood of violence against them.⁴⁴

Nations like Finland, France and England have adapted a partial ban, making it illegal to buy sex from a person who was trafficked or pimped. Foreign governments have been carefully watching the effectiveness of the more comprehensive Norwegian and Swedish approach, which punishes buying but not selling.⁴⁵

A report in Norway, which was published on Monday states, "This report does not find any evidence of more violence against prostitutes after the ban on buying sex entered into force, The enforcement of the law, in combination with the laws against trafficking and pimping, makes Norway a less attractive country for prostitution-based trafficking than what would have been the case if the law had not been adopted," it said. "However, the lower demand has resulted in lower prices, a problem for prostitutes who often come from poor countries and have few other options to earn a living", the report said.⁴⁶

The authorities are however satisfied with the effects the legislation has had. Simon Haggstrom who heads up Stockholm police's anti-prostitution squad said "The law has really had a deterring effect on clients. We see it in our daily work". The head of Oslo police's anti-trafficking unit, Thor Martin Elton, agrees when she asserts that, "The prostitution market in Oslo has shrunk considerably. The most notable difference is that you no longer find family men among the clients, whereas that was common before."⁴⁷

A 2014 report published in Norway concluded that the law had had the desired effect, noting that prostitution had decreased by 20 to 25 percent since the legislation was voted through in 2009. Street prostitution has clearly diminished as a result of the law, but the decline can also be attributed to increased efforts to expel illegal aliens and social programmes to help drug addicts get clean.⁴⁸

While the question of whether or not the law has reduced prostitution remains a contested issue, the ban on buying sex has had a negative effect on prostitutes themselves, say sex workers' associations. Prostitutes now have to ply their trade out of view to protect their clients' anonymity, putting them at greater physical risk. "Many say their situation is worse now than before, not because it's hard to find clients" but "because the balance of power has changed," explained Bjorg Norli, the director of Pro Sentret, an association helping prostitutes in Oslo. While many sex clients used to be your traditional family man, clients are now more likely to be shady types resorting to violence, threats, robbery and unusual and dangerous sexual requests. Sex work remains stigmatized, and confidence in the police, who have them evicted from their work premises under other laws against pimping, has also plunged.⁴⁹

On December 17, on the International Day to End Violence Against Sex Workers, a young Bulgarian prostitute was found murdered in Oslo. "Her colleagues and friends had not dared tell police she was missing" for fear of ending up on the police's radar, Renland said.⁵⁰

Norli an activist is of the view that, " The different examples worldwide show that laws are not going to reduce prostitution significantly, Rather, you need to address the socioeconomic factors that make some people resort to selling their bodies".⁵¹

In 2016, 42 cases of trafficking in human beings were reported to the police, a 24 % decrease compared to 2015, when 55 cases were reported. 4 cases of aggravated trafficking of human beings reported in 2016, compared to 7 in 2015. The majority of the reports pertain to exploitation for prostitution or other sexual purposes. In 2017, 32 offences of trafficking of human beings were on record by 1 October, as compared to 31 during the same period in 2016. The police know of several Eastern European networks or groups suspected of involvement in trafficking of persons for prostitution. Earlier, many women from Nigeria were involved in prostitution in Norway. In 2017, the number of Nigerian women seems to have decreased, especially in Oslo. It is possible that this is a result of growth in the escort and indoor market. It may also be a sign of adaptation to implemented measures to tackle street prostitution, e.g. return of people without residence permits. This is possible as demand becomes low and lower profits are being made. Frontex reports that the number of Nigerian migrants to the EU is still high.⁵²

4.2.6 Mali's Model of Prostitution Control

Prostitution in Mali is legal, but third party activities such as procuring are illegal. Prostitution is common in Malian cities. UNAIDS estimates about 35,900 prostitutes in the country. Prostitution is on the rise, many having turned to prostitution because of poverty. In the capital, Bamako, many prostitutes are from Nigeria and other West African countries. In July and August there is an influx of students from various areas of West Africa who work as prostitutes during the summer vacation. There are also many Chinese bars in the country where prostitution occurs. It is estimated that the Chinese sex workers send 2 billion Cfa back to China annually. Many Nigerian prostitutes work in the area around the Morila Gold Mine.⁵³

Mali is a source, transit, and destination country for women and children subjected to sex trafficking. Internal trafficking is more prevalent than transnational trafficking; women and girls from other West African countries, particularly Nigeria, are exploited in prostitution and sex trafficking throughout Mali. Nigerian authorities estimate more than 5,000 Nigerian girls as victims of sex trafficking in Mali. Some members of Mali's black Tuareg community are subjected to slavery practices rooted in traditional relationships of hereditary servitude and reports indicate it is worsening. Other Africans transiting Mali to Europe, primarily via Algeria and Libya and less so via Mauritania, are vulnerable to trafficking. Nigerian traffickers fraudulently recruit Nigerian women and girls with promises of taking them to Europe but exploit them in sex trafficking in Mali. Malian women and girls are victims of sex trafficking in Gabon, Libya and Lebanon. Lagos Reuters reported as many as 20,000 women and girls are feared to have been trafficked from Nigeria to Mali where they are stranded after being forced into prostitution, the head of Nigeria's anti-trafficking agency said on Tuesday.⁵⁴

4.2.7 Italy's Model of Prostitution Control

Prostitution in Italy became much more visible in the early 1990s with the increase of migration from Eastern Europe and Western Africa which had begun in the 1970s. The dissolution of the Soviet Union, the Yugoslav Wars, and new immigration policies (such as Legge Martelli of 1990) contributed to a rapid influx of sex workers in 1989-1990 originating from former Soviet bloc countries, giving rise to the colloquial term "Polish Girls" (ragazze polacche). A second wave of immigrant sex workers from Nigeria and Peru, arriving to Italy using tourist visas and staying in the country after they had expired, followed by a third wave from Albania in 1993-1994. The fourth wave in 1995 also came from Nigeria and Albania, while in 1996-1998, even more migrants came from Moldova, Lithuania, and Albania. Italian

immigration laws became much more restrictive in 1998, with the enactment of the Legge Turco-Napolitano (40/98).⁵⁵

Italy was yet to exit from a recession; the worst in its postwar history when the crisis witnessed a number of Italian sex workers surge more than 26 percent from 2007 to 2015, according to a report from CODACONS, Italy's top consumer lobbying group. The extended downturn also has fueled a proliferation of "good" women generating needed income by engaging in prostitution on the side as "house practitioners". Most of these ladies have a university diploma, a neat house with a terrace, a good job, a nice husband, kids and a dog. This twist on the underground economy is going on all over the country, but it's mainly found in big cities like Rome and Milan, where bankers and other white-collar professionals create an ideal client pool. The Italian parliament banned organized prostitution in 1958, shuttering brothels. Since then it's been chaotic in the sex-for-sale industry. Although organized prostitution and brothels are illegal, street prostitution is allowed and estimates suggest there are 120,000 prostitutes currently working in Italy. The paradox is that selling one's body in Italy is not illegal. What's a crime is the exploitation of prostitution, and that includes, not just pimps but also clients who are now getting fined.⁵⁶

According to the Department for Equal Opportunities, 35 percent of the 20,000 prostitutes in Italy, or some 7,000 women, are house practitioners. "You'd be amazed by how many women do this," says Angela Rossi, who runs a Milan bookstore by day and works as a house practitioner by night. "It could even be the sweet, elegant public employee living right next door who dresses in Armani." Michel Venturelli, a criminologist who has researched the issue in Genoa, "It's do-it-yourself domestic sex work. These ladies, many of whom lead

parallel second lives, do not just sell their bodies in exchange for money but also for furs, jewels and extra holidays.”⁵⁷

Among these migrants were women who took up prostitution with varying degrees of voluntariness, with some suffering coercion and debt bondage (human trafficking), including under-aged girls. The issues of foreign nationals, coerced prostitution, and under-aged prostitutes have re-shaped the prostitution debate in Italy, as elsewhere around Europe, in recent years. Descriptions of the conditions of migrant women, particularly young women, on the streets, shifted the debate in the 1990s from the Comitato's perception of prostitutes as independent and assertive women to that of victims of male violence. One response of the local authorities in dealing with the problem was rescinding residence permits issued to foreign women found in the streets, and increased deportations of the clandestine.⁵⁸

With migration, street prostitution became more visible, the prostitutes being considered to now be mainly foreigners. In turn, this created another force driving public attitudes, which were community groups from urban neighbourhoods where street prostitution was most visible, particularly since the mid-1990s. Municipalities have also tried to police sex work themselves since 1994, which included targeting sex work clients by sending notices to their home addresses and confiscating their vehicles, although outright charging clients with aiding and abetting was blocked by a tribunal in Perugia in September 2000.⁵⁹

While it was always possible to request a residency permit on humanitarian grounds, this was not well known or utilized by foreign sex workers. In 1996, Livia Turco, the Minister of Social Affairs, introduced the first "Justice Permit" for trafficking victims who renounced their traffickers, as part of the Prime Minister Lamberto Dini's immigration decree. However, Catholic

organizations opposed the denunciation clause. The political initiative to address the situation of women migrant workers came from Anna Finocchiaro (Democratic Party), the Minister of Equal Opportunities. Giorgio Napolitano (Democrats of the Left), the Interior Minister, announced new measures in 1997 to deal with prostitution as an issue of urban safety, and there was little debate over his proposals, given widespread concerns over human trafficking. The main opposing viewpoint was that residence permits should be granted only on the condition of victims denouncing traffickers. What debate there was, was essentially confined to the position of women. The resulting legislation was the Legge Turco-Napolitano of 1998 (40/98). The position of the women's movement was that victims should not be further victimized by having them expelled to their home country, or by putting them in a possibly life-threatening situation.⁶⁰

Measures adopted by the law included increased penalties for recruiting and trafficking, and allowing victims of trafficking to stay in the country under a "protection permit". The law envisioned that these permits would be administered by local police chiefs (questori) on humanitarian grounds, but this concerned NGOs because of the complexity of the procedures involved and the potential for abuse. The law also required the victim to enroll in training courses organized and by approved NGOs. The law also allocated funds for associations assisting these victims, but did require them to exit sex work, although they were supposed to denounce it. The requirement for denunciation in the original Dini decree was removed. In advocating this, Turco was influenced by the Commission for Equal Opportunities, whose first president, Elena Marinucci (PSI), had embraced the aims of the Comitato and attempted to legislate this in 1987.⁶¹

Amongst critics were the Comitato who objected to prostitution as something that women required to be protected from, without addressing stigmatization. However, Catholic

organizations dominated the list of approved agencies, and followed this belief. However, the debates did distinguish between forced prostitution and the free and conscious choice of individuals.⁶²

Although the law was not explicitly targeted at sex work, its implementation was. Despite gender neutral language, the implementation focused on young female victims of trafficking, which was driven by populist media imagery. The result was a new prominence for Anna Finocchiaro's consultative body, the Inter-ministerial Table for the Fight against Trafficking in February 1998 with wide representation. Finocchiaro had declared "Trafficking in women is a new and very serious problem that we have to combat primarily with the punishment for reduction into slavery, instead of using the Merlin law".⁶³

Until 2008, although there were no laws against street prostitution, other laws concerning public order and decency could be used to regulate it, and some places had local ordinances enacted against street prostitution. Attempts were regularly made to criminalize outdoor sex work. In 2008, a new bill outlawing street prostitution was introduced by Mara Carfagna, Minister for Equal Opportunities, and approved by the Consiglio dei ministri on 11 September. The bill is framed as an amendment to the Legge Merlin of 20 February 1958, No 75 by providing for penalties for the act of prostitution, solicitation, or availing oneself of sexual services in a place open to the public. Article 2 amends article 600 bis of the penal code to provide penalties for recruiting, inducing, promoting, using, managing, organizing, controlling, or profiting from the sexual services of a person under 18, or for those promising any kind reward for a sexual act with a person between 14 and 18. It also provides for repatriation of foreign minors engaging in prostitution. Article 3 deals with organized crime, penalizing conspiracy to exploit prostitution via article 416 of the penal code. Article 4 provides no new

resources and repeals article 5 of the Legge Merlin, which it replaces, prohibiting libertinaggio (solicitation constituting offence or harassment) subject to up to 15 days imprisonment.⁶⁴

The bill (S.1079) was introduced into the Senate, where it has been debated in committee in conjunction with a group of related bills on 19 March 2009. The bill was opposed by the Catholic Church, sex workers harm reduction advocates, feminist groups, human rights and immigrant groups, and lawyers and continues to be a matter of both popular and academic debate.⁶⁵

The new laws would aim to reduce the number of prostitutes by going after their clients and hitting anybody caught paying for sex with fines of between €2,500 and €10,000. Under the new rules, repeat offenders would face fresh fines and risk being sentenced to up to a year in prison. “You need to approve this law punishing clients, because prostitution isn't a job for anyone, it's a torture,” the Democratic Party who presented the bill, Caterina Bini, reported.⁶⁶

While the proposed laws may sound harsh, punishing those who pay for sex has proven to be a simple way of combating the phenomenon of prostitution, without resorting to state legalization or regulation of the industry. Fines have proved so effective in other countries, that last year the European parliament actively encouraged member states to adopt what it referred to as a 'Nordic model' when combating prostitution.⁶⁷ “In Sweden the introduction of such fines reduced the number of prostitutes by 80 percent and since then, England, Ireland, Iceland and even France, have all adopted similar models,” Bini Caterina suggested.⁶⁸

Across Italy, nine million clients use prostitutes each year, making the industry worth €90 million each month; the majority of which ends up in the pockets of organized crime syndicates. “The trafficking of human beings is the third-biggest illegal market on the planet,” The Pope

John Society, which has collected over 100,000 signatures in favour of the bill, said in a statement. “It is a modern rendering of the slave trade in which the victims are often women and children bound for prostitution.” Thirty-six percent of all Italy's prostitutes are from Nigeria, 22 percent from Romania and 10 percent from Albania.⁶⁹

Italy is trying to regulate prostitution and to an extent sex trafficking by adopting the Nordic model. There is a project in Italy's Veneto Region, which, if approved, will be discussed by parliament. It will be the body authorised to decide whether to reject the law or apply it only to Veneto or extend it throughout the country.⁷⁰

Since 1958, with the Merlin Law, named after the Venetian socialist senator, Lina Merlin, prostitution is allowed. But it is illegal for it to be instigated, or for exploiting or procuring sexual services. At that time there were 560 brothels, and 2,700 prostitutes. The law tended to discourage prostitution. Instead, after 61 years, it has greatly increased. In Italy today, at least 70,000 prostitutes are calculated by default, half of which are foreign and more than two thousand minors. The most serious problem that has lately developed are pimps, and prostitutes that are exploited by organisations or individual criminals.⁷¹

Slavery is also included in the definition. That is, the women who are enticed in with the prospect of a career in cinema and television and then, instead, are sent into prostitution. There are many NGOs in Italy that help to free and assist these enslaved women, who, however, are afraid of retaliation against their family members.

The law that the Veneto would like to adopt, and suggests to parliament is to provide a register of sex workers, who will issue a regular bill as any self-employed. All will be obliged to register, and also register for vat, which will force them to undergo periodic health checks and

produce annually a tax return in order to pay taxes. "The state will earn billions of euros – says councillor Antonio Guadagnini of the independentist group “Siamo Veneto” (we are Veneto), which proposes the law and the moralisation of the phenomenon will be furthered, taking it off the street. Fines will be instituted for those who do not register.⁷²

This debate returns periodically. But today the public is in favour of regulation and the reopening of brothels. The proposal of the Veneto law was joined by that of the Northern League senator Gianfranco Rufa, which provides for the prohibition of prostitution in public places. 25 billion euros is the expected turnover, three billion euros in Veneto alone, with nine million customers a year. In the package of the proposed regional law are also the penalties for street prostitution. And from five thousand to 50 thousand euros, for the prostitute who does not register. And from 100 thousand euros and up to 15 years in prison for those who instigate prostitution, and life imprisonment if the instigation and exploitation concerns child prostitution.⁷³

The trafficking of Nigerian women from Libya to Italy by boat is reaching “crisis” levels, with traffickers using migrant reception centres as holding pens for women who are then collected and forced into prostitution across Europe, the UN’s International Organisation for Migration (IOM) warns. About 3,600 Nigerian women arrived by boat into Italy in the first six months of this year, almost double the number who were registered in the same time period previous year, according to the IOM. More than 80% of these women will be trafficked into prostitution in Italy and across Europe.⁷⁴

Although a thriving sex trafficking industry has been operating between Nigeria and Italy for over three decades, there has been a marked increase in the numbers of unaccompanied Nigerian

women arriving in Italy on migrant boats from Libya. In 2014, about 1,500 Nigerian women arrived by sea. In 2015 this figure had increased to 5,633. Moscarelli warned that the current policy of placing Nigerian women in reception centres along with thousands of other migrants was playing to the traffickers' advantage, with women regularly going missing. She maintains that, "The reception centres are not good places for trafficked women. Just last week six girls went missing from a reception centre in Sicily, they were just picked up in a car and driven away." She went further to identify that, "Nigerian women who are entering Italy among migrants on boats from Libya should be immediately identified and treated as trafficking victims. Instead of being processed in reception centres, they should be placed in specialist shelters where they can be given the advice and support needed to break the chain of sexual exploitation."⁷⁵

Salvatore Vella, the Deputy Chief Prosecutor in Agrigento, Sicily, who led the first significant investigation of Nigerian trafficking rings in Italy in 2014, said that the reception centres are increasingly being used as pick-up points by those intending to exploit Nigerian women. The Nigerian women are given a phone number when they leave Nigeria, which they use to inform a contact in Italy that they have arrived. Many Nigerian women arrive in Italy with debts of about £40,000 for their journey from Nigeria to Italy, which they are expected to pay back. In some cases Nigerian trafficking gangs use a toxic mix of false promises of legitimate employment and traditional "juju" ceremonies to recruit and gain psychological control over their victims. The women are led to believe that terrible things will happen to their families if they fail to honour their debts. They are then forced into prostitution on streets and brothels across Europe.⁷⁶

In Nigeria, Julie Okah-Donli, Director General of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), said a fact-finding team from NAPTIP and the International Organization for Migration (IOM) had uncovered the extent of the trafficking during a visit to southern Mali last month. Dozens of women and girls were repatriated from the Kangaba area of southern Mali in the preceding months. The team, which went to the area to investigate, found hundreds more being held there, Okah-Donli said in a telephone interview. “They were reliably informed by the locals that they had over 200 such places scattered around the southern part of Mali. In each of the shacks where they held them they had 100 to 150 girls in the area. That is how we came to the figure of at least 20,000 being held”, she said. Thousands of women and girls are taken out of Africa’s most populous country each year, where 70 percent of the 190 million inhabitants live on less than two dollars a day. A large proportion of them arrive in Europe but others are transported to other parts of west Africa.⁷⁷

4.3 Prostitution and Human Trafficking Overview in Nigeria

Transcribed interview carried out during a researcher fieldwork by IFRA Nigeria Fond de Development prioritaire (FSP) of the French ministry of foreign Affairs and Int’l Development (MAEDI), 2013 revealed that out of 15 trafficked girls who were interviewed, all agreed that they wanted to travel abroad in order to turn their families financial status around. Six were deported to Nigeria and among these six, 3-4 were still very eager to travel back to Europe and continue the trade. They argued that there are no jobs or businesses in Nigeria that will yield such profit and make them so wealthy. Their argument and stance is that when they want to travel out again, they will no longer use traffickers as they themselves are now to an extent established in the business. They will work out their travelling documents by themselves and work for their own money and become their own madams. For them, their earlier slavery was for

the traffickers but now, if they can find their way back to Europe, they will become their own independent hustler. Only two among these six deported girls opted to return back to school.⁷⁸

The Nigerian legal system, the constitution has isolated provisions against this social menace. Section 34 of the constitution guarantees the right to human dignity and respect and also prohibits any form of torture, degrading treatment, slavery or servitude and forced labour. Section 41 deals with the right to personal liberty. All these are legislative laws against modern slavery. The criminal code did not however, define or describe the forms of modern slavery, but it however deals with the offenses which may constitute it. It is likely to say that the legal status concerning prostitution in Nigeria is not clearly defined. Section 223(2) of the Criminal Code makes it a punishable offense to procure women and girls for prostitution in or outside Nigeria.⁷⁹

In the same light, the penal code contains similar provisions. Section 275, 279 and 280 prohibits the procurement of women and girls for prostitution. Braimah asserts that these are but scattered legislative laws which should be strengthened. In a bid to tackle the issues of human trafficking for International prostitution, Trafficking in Persons (TIP) law, Enforcement and Administrative Act (2015) was passed. This law prohibits all forms of trafficking, including trafficking for Organ trade or ritual murders and significantly increases penalties for trafficking offenders.⁸⁰

Also, to address this ugly menace, the NAPTIP (2003) was established. Its core mandate was to prevent, protect, prosecute and partner with or collaborate with other regional and international organizations to ensure the elimination and prevention of the root causes of the problem of modern slavery in general.

In spite of these legislative laws, agencies established, anti-trafficking department set up, Nigeria is presently listed as a Tier 2 country which implies that she is not doing much in curbing modern slavery. There has been recorded increase in human trafficking for prostitution purposes.⁸¹

In Edo State, the Edo State enacted a law, Edo State criminal code (Amendment law, 2000) criminalizing prostitution in the state and it also enacted Edo state Administration of Criminal Justice Law (2018) with the aim of speeding the criminal trials. The wife of the then governor, Eki Igbiniedion initiated the 'Idia Renaissance' in 1999 to tackle prostitution and other social ills. The law cited as the criminal code law amended some of the provisions of the criminal code law. It forbids any person from sponsoring a girl or woman by giving her any financial, physical or material assistance to enable her travel out of Nigeria for the purpose of becoming a prostitute or to carry out immoral acts.⁸²

However, the newest angles to it are the efforts of the state governor, Mr. Godwin Obaseki at changing the narrative for the better. Ever since the matter escalated with the selling of migrants into slavery in Libya, the governor has responded with plausible measures. Accordingly, the following actions have been initiated by the governor in that regard: approval of N150m and 100 hectares of land for Libyan returnees, skills acquisition training on agriculture, a seminar with the President of the Italian Chamber of Deputies and state-wide sensitisation workshop on human trafficking and illegal migration among others. Governor Obaseki at the event where the Italian government expressed worries over the number of deaths recently recorded during attempts by indigenes of the state to travel to Italy illegally through the sea, highlighted the programmes of his administration on the matter.⁸³ He said:

My Government takes the issue of human trafficking very serious. For us it is a major crime, it is the modern day slavery. This is threatening the survival of our people when the people who benefit from this trade are not from Edo State but they have a well-developed worldwide system to exploit innocent people. We got a data recently that about 37,000 illegal immigrants were arrested in Europe and about 15,000 of them are from Edo and Delta states. Those are even the people who survived the journey because people go through the sea, some go through the Sahara and so many must have died in the process. So I think it is an issue we can no longer trivialize. At the political level, we will do what we need to do and make the relevant appointment. We will train these victims, rehabilitate them and integrate them into the society. And the Edo state government is ready to pay the money which these so-called traffickers have demanded from their victims so we can free them. Those victims will be the first priority in our job creation initiative. Religious institutions and traditional institutions must now rise up to be part of this.⁸⁴

Another step taken towards arresting the situation was the decision to enact laws against human trafficking. The proposed legislation which is seen as capable of making a difference was announced at the flag-off of a state-wide sensitisation workshop on human trafficking and illegal migration. At the forum, the state Attorney General/Commissioner for Justice, Prof. Yinka Omorogbe, said the government was working on a law to ensure that those, who promote the trend are sentenced to jail without the option of fine.⁸⁵ Omorogbe, who is also the Chairperson of Edo State Taskforce on Human Trafficking said: “All hands must be on deck to support this drive in curtailing the menace, which has damaged the reputation of the state.” Corroborating this assertion, Secretary to the Taskforce, Mrs. Abieyuwa Oyemwense said the government was also paying returnees monthly stipends within a period of three months.⁸⁶

On May 23, 2018, the Governor of Edo State, His Excellency, Mr. Godwin Obaseki, signed into law the Edo State Trafficking in Persons Prohibition Bill (2018) in Abuja. It

officially creates the Edo State Taskforce Against Human Trafficking, which became functional in the State in August 2017. It is safe to assume that the new law will repeal and replace the existing law on human trafficking in Edo State, which was enacted in 2000 (Criminal Code (Amendment) Law, 2000 (Section 223A)). However, from what has been reported in the media, its penalties appear to mirror those outlined in Nigeria's current federal anti-trafficking law (Trafficking In Persons (Prohibition) Enforcement and Administrative Act (2015)), which prescribes a minimum penalty of five (5) years imprisonment and fine of one million Naira for sex and labour trafficking offenses (minimum penalty in the case of a child increases to seven (7) years). Notwithstanding, we hope that the new law is a further step in the right direction for Edo State, since, if combined with effective advocacy and political will, should help to stem the scourge of human trafficking and irregular migration in the State.⁸⁷

Despite various policy interventions, law enforcement agencies have not been able to track all existing networks of these syndicates, which makes it difficult to nip. The permissible casual view of sex motivates the commercialization of sex in Nigeria and other parts of West Africa in spite of apparent risk. As earlier established, if individuals do not frown at casual sex, then we should see nothing wrong with commercial sex (prostitution) because both involves same effect and same harm. As a criminal endeavour, the problem associated with human trafficking for sexual purposes also made NAPTIP to sign a Memorandum of Understanding (MoU) with the Nigerian Educational Research and Development Council (NERDC) for mainstreaming trafficking of persons issues into the basic and senior secondary school curricula in the country Nigeria.⁸⁸

It was a result of this that made the former Deputy Senate President, Ike Ekweremadu and the Senate President, David Mark argued in favour of the legalisation of prostitution in the country.

Speaking during the debate on a motion on the scourge of human trafficking in the country, Ike Ekweremadu said it has become impossible to stop prostitution in the land, and as result, the senate should consider regulating the act in country. According to him, “we need to regulate prostitution in this country so that if anyone wants to indulge in it, the person should be registered and issued with a license”. Also speaking on the matter, the Senate President, David Mark said it is difficult to stop the act of prostitution saying, “...the FCT administration has been trying to stop it but they are facing stiff resistance because prostitutes have their association and even their own legal adviser”. This shows how efforts put in combating prostitution and by extension sex trafficking has really not worked in Nigeria.⁸⁹

Most migrant prostitutes women are regarded as victims of sex trafficking and the same time criminal migrants. This is based on the way they gain entry into transit and destination countries through illegal means, especially wrong routes and sometimes through national borders. Most of these girls and women even approach traffickers themselves. This makes it easier for them to get fake or forged documents and through these traffickers they get easy access to already established madams in the business or to get serious clients/ customers.⁹⁰

Arguably, it is assumed that when people are being trafficked, they are involuntarily recruited and transported to communities or towns where their services are required by syndicates and clients who take advantage of them. This as shown in this work isn't always the case as most of them approach traffickers themselves and some consent to the act.⁹¹

The fact that victims see trafficking /prostitution as the quickest way of making money makes them more vulnerable. While it is easier for one to be trafficked before becoming an international prostitute, it also takes bad company to be associated with a network that enrolls

women into the illicit business. The act exposes them to risks such as reproductive and mental health challenges occasioned by dehumanizing and impose lifestyles like drug abuse, sexual objectification with attendant anxiety about physical safety.⁹²

The criminality associated with the threat of human trafficking cannot be underemphasized given that it is an avenue to exploit the vulnerable groups and an aspect of globalization which overwhelms many countries law enforcement agencies that have poor border security strategies. Whether black or white, internal or external, trafficking is prevalent owing to the portrayal of women as commodities that should be purchased and used when needed.⁹³

Human trafficking has increased in Nigeria and it is believed to be thriving more on land and water than air routes, to the extent that states across the country experience trafficking in persons at the domestic level which services the international scale. The reason for high prevalence of human trafficking on the land and sea routes than air is because of the easy accessibility to transport illegal migrants who do not have legitimate means or reasons of travelling to the destination country through the border or sea than through air which requires screenings of migrants. This is further aided by our porous and unmanned borders that aid illicit businesses like smuggling and trafficking for prostitution.⁹⁴

An observation at the same border reveals a lot about how the poor border oversight indirectly breeds the crime. Most immigration officials only stamp the passports of passengers without questioning the essence of the trip. Not all travelers have the ECOWAD permit or international passports as the case maybe in this regard. At Aflao border, condji border and seme border, the majority of migrants easily move frontier to another through the manned and

unmanned borders without much obstacle. Victims can get through by road in any vehicle unhindered as much as they can provide identity cards or valid passports.⁹⁵

Hughes investigated victims of commercial sexual exploitation from Ukraine. They found that countries with legal or tolerated sex industries creates the demand and thus are more likely to be destination countries. Akee et al, tested the effect of legislation banning prostitution in both destination and source countries and found both host and source country prostitution laws exert a positive and mutually reinforcing effect on international trafficking.⁹⁶

The result of most of these anti-trafficking laws was that it only made the trade more discreet.



CHAPTER FIVE

CONCLUSION

5.1 Summary of Findings

Migration from time immemorial has been a frequent human activity. However, the new trend in migration is one characterised and associated with labor and sex trafficking which has been and still is a global social problem characterized as modern slavery. Several studies pointed to Nigeria as having a high percentage of migrated young men and women who end up being exploited. Edo State and in particular Benin City has been christened the seat of human trafficking for sexual purposes. Many youth migrate on daily basis with the hope and promise that when they arrive, life would become better. Unfortunately, this often is not always the case. Findings revealed that poverty is a common experience for many of the women involved in sex trafficking as they perceive it as a viable option towards terminating generational poverty.

Findings revealed that Nigeria is an increasing concern as a source, destination and transit country for human trafficking. It established the fact that international prostitution has continued to thrive in Benin due to the role of organised traffickers and the economic relevance in society. The first set of women that migrated to Italy in the post-colonial period were sponsored by their boyfriends who worked with the Dumez Company in Benin. Most of these women and girls had no education or formal skills. They began to work in plantations. They later realized that it was more profitable to work as prostitute than in the plantations in Italy. They generated significant incomes in a short time and also invited their friends and sisters to Italy for the same trade. This became a circle that continued for years.

It was discovered that the first set of women who migrated to Italy were not trafficked. They sponsored themselves to Europe to make more money as some were already prostitutes in Nigeria before they migrated to Europe. The number increased as a result of the economic crisis that enveloped the nation in the 1980s. At first many of these young girls were deceived but with time, it became an open secret in Benin.

Nigeria also has 2 codes of Criminal Law which deals with the issues of human trafficking. The Criminal Code covers the southern state and the Penal Code is applicable to the northern states. The Criminal Code however does not define what constitute trafficking but however deals with the offenses which may constitute external trafficking for prostitution and slavery.

Policies and legislations have been adopted in line with the Convention on the Rights of Children (CRV) and Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) ratified in 1991 and 1985 respectively. NAPTIP was also established to fight human trafficking through investigation of cases, prosecution of criminals, rescue and rehabilitation of victims. The promulgation of the Acts, the efforts of the National Agency, the creation of an office of special adviser to the President of human trafficking, the efforts of the coalition of non-governmental organizations and civil society networks on human trafficking have all led to an increased level of awareness. However, there's still an increasing prevalence of human trafficking for prostitution purposes.

While syndicates or traffickers are motivated by greed, get-rich quick syndrome, demand for cheap labour, sexual satisfaction, desire to exploit existing inequality in the society, the trafficked victims are lured by the need to transform their poor identity, family instability as a

result of sickness, death or displacement of members, desperation to travel abroad, ignorance etc., they become victims of spurious promises owing to their desperate desire to travel.

As earlier stated, Local prostitution which was inherent in Nigeria, Benin precisely evolved into international prostitution which was metamorphosed into an organized network of sex trafficking. Initially most of the trafficked girls were oblivious of the fact that they were trafficked for sexual purposes but of recent, most of these girls are aware as most even approach traffickers themselves.

Chapter Two explicates that trafficking for sexual exploitation has become one of the leading illegal economic activities along with drug trafficking and arms struggling. Some scholars were of the opinion that environmental, societal and community dynamics are some of the factors responsible for making people susceptible to human trafficking especially with the fact that our borders are porous. Human Trafficking for sexual purposes victimizes women and conjures an image of vulnerable men, women and children who have been sold into a world of sexual servitude. Inasmuch as human trafficking is a global concern, the patterns, factors as well as its nature is highly localised.

International prostitution was a major sustenance in Benin economy from 1980-1990. Major financial help surfaced from family members who were abroad. To spread their found wealth, family members abroad helped sponsor other extended family members to Europe. This availability of traffickers and 'help' encouraged the trade that even non-natives dwelling in Benin were also caught up in the web of trafficking for sexual exploitation. Despite the horrid experiences of illegal migrants at the hands of these traffickers, many Nigerians are still being brainwashed and exploited daily by the trafficking ring into illegally migrating to Italy, Libya

and other parts of the world where they end up in sex camps. Human trafficking constitutes a violation of human rights with majority of women being sexually exploited. As such, women are seen as commodity to be used and dumped when desired.

As discussed in the Chapter, various models/theories were analyzed to conceptually understand the trends of human trafficking for sexual purposes from various theories. The rationale behind the first model, Demand and Supply model is to target the demand instead of the supply. The point is that that there will always be someone who is willing to sell sex as long as the demand exists and together with the fact that people are prepared to pay any amount for sexual services. This is the model used in this study to achieve the desired objectives.

Prostitution is a function of demand and supply and wages earned by prostitutes through this means is high relative to their human capital endowments, thus, relative to they wages they could earn outside prostitution. Legalizing prostitution invariably increases demand for sex. It results in insufficient supply among domestic or legally residing foreign individuals. Trafficked individuals become more valuable and exposed to the demands of their pimps. It make the pimps business more lucrative with greater portion of earnings than with the pimps operating with legal prostitutes.

These pimps tend to earn more as they go to places where prostitution is legalized and using these trafficked victims to indulge in the act earn them greater portion as the demand would be high. So, with the demand being high, there would be need to make supply available and meeting up to these demands means greater profit to be made.

The Feminist theory was also analyzed in Chapter Two. The feminists question whether prostitution or any other exchange of sex for something of financial value is or can be voluntary.

Two groups of feminists; radicals/neo-abolitionists and Sex positivism/Pro-sex gave divergent opposite views. The neo-abolitionist condemns all forms of voluntary and non-voluntary prostitution as a form of oppression against women. They argue that prostitution is never entirely consensual. They view all commercial sex as patriarchal and oppressive. They argue that it constitutes a form of violence against women and a form of economic exploitation. Pornography as well as prostitution and sex trafficking are abuses of sex and a form of power taken away from women. The other group; Pro-sex argue on the basis that prostitution as well as sexuality is consensual and a woman is free to make choices which she desires. Thus, any mandate that dictates to women which choice is wrong or right is patriarchal. Every woman knows what she wants and has the power to make that choice.

Political Economic theory shares the view that violence against women occurs because of the economic welfare and political processes driving the state. Women who are poor and have fewer options for survival may likely fall victims to traffickers; or may prostitute themselves when they seemingly have no other choice. Women would not be compelled to sell sexual services if political environment at the policy level afforded equal opportunities to gain social capital, thus increasing their vulnerability to be preyed upon.

Push and Pull theory was also reviewed. Individuals generally desire a better state of life they have. They migrate due to different conditions that tend to push them out of a place to another. Push factors include unemployment, natural disaster, dissatisfaction etc and Pull factors includes those things in another nation that attract a persons' desire for better jobs opportunities, security, prospect, etc. The economic, political and social atmosphere in Nigeria is unfriendly to put it mildly. The hardship and insecurity being experienced in Nigeria compared with the 'safe

haven' and attraction of greener pastures presented by western societies have led people to 'consciously' or unconsciously' go into modern slavery in order to enjoy better living conditions.

The objectification theory, as also reviewed explicates that when women are sexually objectified, they are treated as an object to be valued for its use by others. Women experience abuses in the process of sexual exploitation and thus would be subjected to psychological trauma because of how syndicates and clients violates her human dignity. It is the objectification of women, owing to patriarchy and sustained by gender inequality, which drives human trafficking for sexual exploitation. Most victims of International human trafficking are women and girls and vast majority of them end up being sexually exploited through prostitution. Trafficking is majorly caused by prostitution and combating prostitution with the force of the law would reduce trafficking. To meet up with the demand for women to be used in the legal sex industry, trafficking increases. However, with the counter argument of other scholars, legalization of prostitution increases working and safety conditions for sex workers, allowing domestic women to be recruited into sex businesses as long as they voluntarily choose it as an occupation.

Prostitution has been a social phenomenon which has been in existence in human history. Prostitution occurs in a variety of ways, such as full time prostitution, some engage in legitimate business during the day and at night engage in prostitution. Some engage in it as an auxiliary service. Prostitution which is the provision of sexual services for monetary benefits or a form of entrepreneurial activity for the provision of sexual services on a paid basis to meet sexual needs is viewed by some as being harmful. Such view and benefit influences how privately or professionally we approach the issue of prostitution. The argument is if we accept the common view that casual sex or sex engaged in for the sake of enjoyment or recreation without the end or aim being financial benefit is not harmful, then we should also accept that neither is prostitution.

Since in both casual and commercial sex, the action is carried out (sex) and the risk of contacting STDs is plausible, then we shouldn't frown at one and not frown at the other,

Against arguments on consents, as to how these prostitutes consent to the act and therefore should not be questioned because it is based on choice, consent is insufficient to ensure harmlessness. We can be harmed by things we consent to. This is why we are usually careful about giving our consent. Even if we accept that there are genuine costs associated with prostitution, it does not give sufficient reason to reject it. Before rejection, we should count its benefits, compare the sum of total costs and benefits in prostitution with the sum of total costs and benefits in alternative occupations.

Prostitution having gained legal status in about 53 countries, limited legality in about 12 countries and illegal status in 33 countries has a lot it contributes to human trafficking for sexual purposes.

Nigeria has no definite or official stance about prostitution. What is contained in the Nigerian Criminal Code is the penalisation of the activities of pimps or madams, underage prostitution and the operation or ownership of brothels under sections 223, 224 and 225, and section 15, 16, 17, 18 of the Trafficking In Person, Enforcement and Administrative Act, 2015. Nigeria is a signatory to the 2000 United Nations Protocol to prevent, suppress and punish trafficking in persons, especially women and children. Although the Penal Code as applicable to the Northern states prohibits prostitution, the Criminal Code applicable to the Southern states did not. It prohibits national and trans-national trafficking of women for commercial sex or forced labour. The question posed however is that the Criminal Code does not clearly define who a prostitute is. Even the issue of brothels, how do one define what constitutes a brothel in the

Nigerian setting? Places like Allen avenue, Ikeja, places in Oshodi during the early 1980s witnessed street prostitution. Red-light street district around Ugbabue street in Benin, Time Out paradise, City LJJ, Jonvee kitchen etc were also caught in this web as hottest pubs in Benin where prostitution was going on

A steady rise in young students and unemployed graduates who use sex to earn income and act as part-time call girls are changing the strategies used by sex workers. Some of these graduates uses the services of pimps while some frequent bars and restaurants. Some act as links between upper class Nigerians and the call girls-the aristo girls who mostly serve the upper class citizens and foreigners and are better paid than the sex workers in brothels. Brothels are majorly located in highly populated districts and slums within the city in Nigeria.

Chapter Three of this work described the study methodology used in achieving the objectives of this work. It describes the research design, method of data sources and the method of data analysis.

Chapter Four deals with the result and discussion of findings. This research made use of the demand and supply model which believes that just like any market, commercial sex market is a function of demand and supply. When there's a great demand, supply will be inevitable. The stronger the demand, the greater the economic motivation to obtain and deliver a supply. Hence, demand influences supply. It is unarguable that reducing demand reduces or eliminates market. Without demands, the need for people to provide a supply and for pimps and traffickers to distribute the supply to buyers would not exist. Given that people are the commodity, supply is often difficult to contain, quick and easy to acquire. With a market as highly profitable as sex

trafficking, arrested traffickers and pimps are easily and early replaced. Supply in this case involves both voluntary prostitutes and trafficked victims.

Looking at different prostitution laws, some countries have tried to combat prostitution and by extension sex trafficking by focusing on the supply side of the market and the demand side left untouched. Countries like Romania it is illegal to sell sex, but legal to buy sex. Most countries law agencies tend to go after the supply of sexual services rather than the demand side. Some countries makes selling sex illegal, some have given it a legal status, such as; Germany, The Netherlands etc. The chapter also ran through some comparative study to evaluate how the different prostitution policies among most countries affect the flow of human trafficking for sexual purposes; The Dutch model, the Swedish model, Germany's model, Spain, Norway and Mali.

5.2 Recommendations

Rooting out trafficking and other exploitative forms of prostitution has really not worked, not because efforts have not been made under the legalized status but because it is difficult for these agencies to measure or detect those who consent to the act of prostitution (voluntary) and those who are coerced or forced into it (trafficked victims). Clients as well as law enforcement agencies may not be able to distinguish individuals who willingly sex sell from those who do not.

The criminalisation of prostitution also has really not worked. While it may discourage sex workers who volunteer to engage in the act from entering the prostitution business, sex trafficking victims by definition, being deceived or coerced into selling sex and the risk of legal sanctions will arguable not affect their behaviour in the prostitution market. Criminalising will

also not have effect on traffickers either. Traffickers would rather enjoy greater profits. This is so because criminalising selling sex would discourage prostitutes who sell sex voluntarily and thus supply may fall. This would drive up the price of buying sex. Traffickers would respond to this demand by trafficking a greater number of victims' in order to make more money because of the rise in demand and fall in supply.

In Nigeria, the establishment of various protocols, legislative Acts, organizations like; NAPTIP, have not been able to fix the issue of human trafficking for Sexual purposes. It was a result of this that made the former Deputy Senate President, Ike Ekweremadu and the Senate President, David Mark argued in favour of the legalisation of prostitution in the country. Speaking during the debate on a motion on the scourge of human trafficking in the country, Ike Ekweremadu said it has become impossible to stop prostitution in the land, and as result, the senate should consider regulating the act in country. According to him, "we need to regulate prostitution in this country so that if anyone wants to indulge in it, the person should be registered and issued with a license". Also speaking on the matter, the Senate President, David Mark said it is difficult to stop the act of prostitution saying, "...the FCT administration has been trying to stop it but they are facing stiff resistance because prostitutes have their association and even their own legal adviser". This shows how efforts put in combating prostitution and by extension sex trafficking has really not worked in Nigeria. The issue of legalizing as supported by some members of the Senate and explained above will also not be able to fix the problem.

Having evaluated the failure of other alternatives to fix the issue of human trafficking for prostitution purposes to its barest minimum, I would recommend that to tackle the issue in Nigeria, the demand side of the market should be the primary focus. As earlier explained, targeting the supply side of the market has not being effective in dealing with the issue of

trafficking. Worldwide demand has always existed when it comes to prostitution. The sex industry is fuelled by almost exclusively males purchasing the sexual services of women and girls, boys and men to a lesser extent. The male demand for prostitution is the most immediate and proximate cause contributing to the expansion of the sex industry. Where it not for this demand to purchase sex, pimps, recruiters and traffickers would not generate a profit and the market would go broke. It arises from a common source, men's desire and decision to buy sex. But if the market is affected by fall in demand, it would affect both traffickers and prostitutes/sex workers/victims of sex trafficking. Though demand and supply operate as vice versa, it still remains obvious that supply is inevitable as there is always demand to be met.

Law enforcement agencies should target the clients and those who are caught purchasing sex. The focus should not be on those supplying sex but those who demand and patronize these sex workers. When there is a fall in the demand, it will invariably affect supply and thus affect the market.

5.3 Area of Further Research

Recommending area of further research on this study, the researcher should channel focus on Internet, social media, smartphones and advertising services online. The issue of human trafficking for sexual purposes has gone beyond just the traditional method. Individuals are trafficked through fake job adverts online and internet manipulation. With these new recruiting methods, a good model to fix it should also be researched. This is because even sex workers advertise their services online and meet clients through such means. Everything is done online and then a meeting point is arranged. With this, it becomes difficult for the government as well as law enforcement agencies to catch and criminalize individuals who are seen purchasing sex.

Just like in Italy, According to Venturelli, clients now find the country's house practitioners on websites registered in countries where the trade is legal. The foreign hot spot is Ticino, the Italian-speaking canton of Switzerland. The sex workers never leave their houses in Italy; it's the clients who travel to them.

Another recommended area of further research should be on Border Issues. Border problem is a serious issue affecting trafficking for sexual purposes. Countries with porous borders and flexible immigration policies have a high risk of influx of immigrants with or without original and correct documents.



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INTERVIEW

Agbale Henry, 84years, Retired Teacher, Ujabhole, Edo State, 09:00am, 27th January, 2019.

Areghan Eromosele, 51years, Business Man, Uromi, Edo State, 04:02pm, 29th January, 2019.

Ehidiamé Festus, 80years, Retired Police Officer, SPO Quarters, Amakohia, Imo State, 12:09pm, 4th March, 2019.

Osas Irene, 35years, Civil servant, Uniben, Benin, Edo State, 11:25am, 11th April, 2019.

Osereme Iduah, 29years, Student, Uniben, Benin, Edo State, 09:45am, 11th April, 2019.