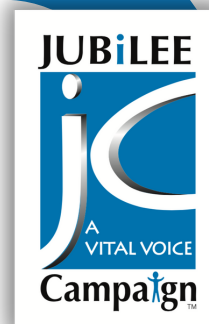


JUBILEE CAMPAIGN

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trafficking in nigeria



SHADOW
REPORT TO THE
UNITED STATES
DEPARTMENT OF
STATE

summary

Jubilee Campaign submits this information to aid in the drafting of the United States Department of State's Trafficking in Persons Report with regard to Nigeria's failure to fully meet the minimum standards of the Trafficking Victims Protection Act of 2000. Our submission focuses specifically on militant groups such as Boko Haram and ISWAP who for years have been kidnapping boys and girls under the age of 18 years for the purpose of domestic servitude, sexual slavery, child soldiering, and criminal activity.

circumstances of trafficking in nigeria

Following the 2014 kidnapping of 276 schoolgirls from Government Secondary School for Girls in Chibok by Boko Haram, scores of freed girls have provided testimony that they had been subjected to domestic and sexual servitude during their captivity by the militant group.⁽¹⁾ Four years on, in February 2018, Boko Haram breakaway faction groups Islamic State West Africa Province (ISWAP) abducted 110 schoolgirls from Government Girls Science and Technology College in Dapchi. Each of the girls was released in the months prior, with the exception of now 18-year-old Christian student Leah Sharibu who was just 14 years old at the time of the incident. Leah has spent nearly four years in ISWAP captivity while the group refuses to release her as she will not comply with their demands to convert to Islam.⁽²⁾ Leah, born 14 May 2003⁽³⁾, was impregnated and gave birth to two children in 2020.⁽⁴⁾

While the number of school abductions by Boko Haram and ISWAP have declined over the past few years, it is still important to note that some of the girls kidnapped in the height of the militant groups' activities have never been released and therefore continue to live in conditions of servitude.⁽⁵⁾ In August 2021, over 1,000 Boko Haram militants surrendered to the Nigerian government and military, and they brought with them two of the female hostages they had kidnapped over the years and harbored in captivity; similarly to Leah, the two 'Chibok girls' Ruth Pogu and Hassan Adamu were accompanied by militants they had likely been forced to marry and the children they had as a result of these fraudulent marriages and sexual servitude.⁽⁶⁾ In April 2019, Lydia Musa, who was kidnapped at the age of 14 by Boko Haram militants during an attack on her community in Borno State, explained that she and two other abducted girls were forced at gunpoint into marrying their captors lest they be killed for refusing.⁽⁷⁾ Faced with such horrifying threats, many of the abducted girls and young women comply with their captors demands and begin to view sex as a form of currency with which to pay for food, water, and other daily necessities; the few that refuse sexual advances and other forms of servitude and marriage face rape and physical beatings.⁽⁸⁾ As a result, many of the girls and women who are eventually released or rescued from Boko Haram/ISWAP captivity have at some point during their confinement been pregnant and developed sexually transmitted infections such as HIV/AIDS, Gonorrhoea, and Hepatitis as a result of their sexual abuse.

While all abducted girls and women suffer horrendous hardships in these militant camps, those of which who are Christian and considered apostates according to Boko Haram radical Islamist ideology endure some specific challenges and even worse conditions than their Muslim or converted-Muslim counterparts. Christian girls, for example, are denied tents to sleep in and are forced to rest under the cover of trees, even in inclement weather; meanwhile, even though they cooked thrice a day for militants, they were only offered one minuscule meal a day. They were also forced to treat the worst militant wounds such as amputating limbs and burying dead militants.(9) In March 2021, Christian woman Naomi Adamu - aged 24 at the time of the 2014 Chibok kidnapping of which she was a victim - explained that each time she rebuffed Boko Haram's attempts to forcibly marry her to a top militant commander she was threatened with death and beaten severely.(10) Moreover, because all abducted girls - Muslim and Christian alike - were forced to recite Quranic verses, Christian girls faced virtually daily lashings and beatings due to their inability recite these Islamic teachings.(11)

In addition to sexual servitude and forced marriages, abducted girls and women have been forced to work as domestic servants for Boko Haram and ISWAP militants, preparing daily meals, repairing roads and camps, treating injuries, cleaning living quarters, maintaining weapons, fetching water, childrearing, and more; simultaneously, despite their long hours of servitude, they were not paid for their labor and instead were given meager amounts of food and rest.(12) Regrettably, likely against their own conscience, some of the captive women are forced to act as role models for newly kidnapped girls and are even tasked with preparing girls for terrorist missions.

Abducted girls, especially those that are young and small, are singled out for conducting criminal terrorist activity such as suicide bombings. In fact, there have been numerous studies that show an incline in Boko Haram's employment of female suicide bombers directly after the 2014 Chibok kidnapping of 276 schoolgirls; 100 of the Chibok girls remain missing to this day without any knowledge of whether they are alive, healthy or whether they have been forced on suicide missions themselves. Many of these girls that have been forcibly converted to Islam have then been groomed and brainwashed into thinking that they would be pleasing Allah by conducting these terrorist attacks; girls that have been selected for these missions but have shown reluctance or anxiety about it have been fed drugged food that lowered their inhibitions and made them easier to control and convince to partake in suicide missions.(13)

In 2017, The New York Times interviewed tens of Nigerian girls who had been forced to embark on suicide missions as a part of their servitude to Boko Haram. One victim, 16-year-old Hadiza, recalled that the day after she denied a militant's demands of marriage, she was outfitted with an explosive belt around her waist and forced into a suicide bombing mission with another 12-year-old girl; they were fortunately able to find some soldiers to help them remove the bombs. This revelation, however, only covers the stories of girls who refused to carry out their terrorist attack and instead escaped captivity; there are likely - surely - many more girls who were coerced into completing their suicide bombings. (14) Boko Haram has similarly abducted young boys from schools and other educational institutions as well, but they are forced into a different route of becoming child soldiers and eventually growing up to become militants themselves. Aforementioned captive Lydia Musa explained that each morning as she

woke up and began her work she witnessed kidnapped boys as young as 10 years old wielding guns as big as their bodies and being taught how to conduct attacks.(15) More Recently, in September 2020, authorities from the regional Multinational Joint Task Force (MNJTF), which focuses on eradicating Boko Haram insurgency, highlighted a current uptick in the group's use of child soldiers, as can be evidenced by recent videos showing children dressed in militant uniforms and holding assault rifles.(16)

In 2020, Amnesty International interviewed 44 individuals who were kidnapped by Boko Haram while they were under the age of 18. A large portion of respondents were abducted from their communities in Michika and Madagali Local Government Areas (LGAs) in Adamawa State in the years 2014 and 2015. Twelve of the interviewed individuals identified themselves as being kidnapped by the militant group and conscripted as soldiers against their will before the age of 15. At such young ages, the majority of these boys were forced to witness violence and even perpetrate acts of violence themselves.(17) The Nigerian military captured one 15-year-old boy who was recruited by Boko Haram to make bombs; in his five years of militancy, he estimated he had constructed some 500 bombs.(18)

response & prosecution

Regrettably, with the exception of two individuals associated with the 2014 Chibok kidnapping, the Nigerian government has not prosecuted a single militant group member for their involvement in mass abductions and subsequent enslavement of girls, women, and boys.(19) In fact, the lack of accountability for perpetrators has emboldened militants to engage in even more terrorist attacks, abductions, and trafficking, as they are aware of Nigeria's current climate of impunity for such crimes. Not to mention, as Nigeria's prosecution and prevention measures – as will be discussed later in this submission – are severely lacking, the Nigerian national and state governments' only viable response to trafficking is to pay hefty ransom sums for the release of captives; as a result, militant groups such as Boko Haram, ISWAP, and Fulani militants now see kidnapping as a regular source of income, especially as they conduct these attacks on weekly and monthly bases. From a The Nigerian government's deficiencies means militant groups always stand to gain something from mass abductions in the absence of prosecution and in the presence of financial incentives: either large swaths of cash for the release of their victims, or the trafficking of victims whose ransoms go unpaid into sex slavery, domestic slavery, and child soldiering.(20)

On the contrary, the Nigerian government's plan of action in dealing with militants favors rehabilitation and reintegration into society over justice and accountability, rather taking a combined approach including all of these important pillars. Operation Safe Corridor, established in 2016 receives defected former militants, de-radicalizes them, and reintroduces them to society. While these are all very important and positive activities, however, the program lacks any prosecutorial measures whatsoever, leaving civilians feeling as if militants are receiving amnesty from the government and are being permitted to resettle in these very same communities that they attacked months or years prior.(21) It is true that substantial portions of Boko Haram/ISWAP have been forced into militancy themselves by no choice of their own; therefore, the Nigerian government must consider the circumstances upon former

militants' entry into Boko Haram/ISWAP (i.e., whether by force or by choice), the severity of their crimes and terrorist activities, their risk level for being re-radicalized, and their overall potential to become ordinary law-abiding citizens. One of the largest obstacles faced by Operation Safe Corridor is determining the sincerity of former militants in their defection – do these individuals defect because they genuinely wish to reform themselves, or are they taking advantage of the program because it means they can evade punishment for their activities?(22)

There have been unfortunate instances of victims of human trafficking by Boko Haram being detained and interrogated themselves for their forced involvement in criminal activity for the militant group; while their captors are treated with leniency, survivors themselves come under the discretion of state actors. One girl named Hauwa who had been convinced to join the militant group as a solution to her 'spiritual problems' was forcibly married twice during her time in the camp and had a child as a result of one of the marriages.(23) When she refused to remarry a third time, militants strapped her with bombs and ordered her to carry out a terrorist attack; however instead of going through with these directions, she escaped. As of March 2021, according to the United Nations Office on Drugs and Crime (UNODC), Hauwa has been held in military detention for five years without any charges.(24) Moreover, thousands of children, some as young as five years of age, have been held in overcrowded and unsanitary military detention centers for years on end on suspicions that they have connections to Boko Haram; there, state actors engage in physical abuse and flogging of these children. This information refutes the remarks of Nigeria's spokesman for defence headquarters, who claimed that the military detains children suicide bombers and soldiers – those who "provide tacit support to insurgents" – but treats them as "victims of war and not as suspects".(25)

Some progress has been made by Nigeria in carving a path to prosecution for militants, though we still wait for concrete evidence of justice and accountability mechanisms being functional and with results. In December 2020, the Prosecutor of the International Criminal Court called for a formal inquiry into war crimes and crimes against humanity committed by Boko Haram and other non-state actors.(26) In March 2021, the UNODC explained that it has partnered with the Nigerian government and the European Union for "training and technical assistance on gender dimensions of criminal justice responses to terrorism to criminal justice actors"; the Complex Casework Group (CCG) of Nigeria's Federal Ministry of Justice is currently investigating cases involving girls and women facing forced marriage in Boko Haram captivity.(27) In May, the Deputy Director of the Federal Ministry of Justice who also leads the CCG announced that 800 Boko Haram militants were being "prepared for prosecution" that would take place after a judiciary strike that was happening at the time ends.(28) However, by September the strike had come to a close and there were no updates on the prosecution; human rights lawyer Femi Falana wrote to Nigeria's Attorney General Abubakar Malami inquiring about the continuation of the case but received no response detailing prosecutorial plans.(29) In October, it was announced that the Nigerian government has allocated 300 million naira (≈ USD \$730,000) towards "prosecution of Boko Haram suspects, offenders of government recovered assets and improving asset recovery and monitoring process, prison inmates, maritime/offshore offenses", though it remains unclear what portion of that budget will be set aside specifically for militant prosecutions.(30)

prevention

The Nigerian government fails to prevent trafficking in persons, especially with regards to mass kidnappings of children that are conducted primarily to receive ransom in exchange for their release but have also resulted in children remaining in militant custody for the purposes of exploitation. In February 2021, armed individuals stormed the Government Science Secondary School in Niger State, abducting 27 students and 15 faculty; they were released over a week later.(31) Also in February, 100 militants kidnapped 279 students between the ages of 10 and 17 from Government Girls Secondary School in Zamfara State; they were later released.(32) In March, gunmen kidnapped 39 students from the Federal College of Forestry Mechanization in Kaduna State; the captors were released in separate instances throughout the following month.(33) In that same month, the Nigerian army prevented a militant attack on Turkish International Secondary School, rescued 172 students from being kidnapped from Federal School of Forestry Mechanization(34), and foiled an attempted abduction of students from the Government Science Secondary School(35); each of these three incidents occurred in Kaduna State. In April, armed individuals abducted 20 students from Kaduna State's Greenfield University; they were released in May.(36) Also in April, gunmen kidnapped and held three students from the Federal University of Agriculture in Benue State for three days before releasing them.(37) In May, 136 students of the Salihu Tanko Islamic School Tegina in Niger State were kidnapped at gunpoint and held for three months until their release in August.(38) In mid-June, about 100 students were abducted from Kebbi State's Federal Government College.(39) In July, suspected Fulani militants abducted nearly 180 students from Bethel Baptist High School in Maraban Rido, Kaduna State(40); many were released in the following months appearing "weak, sick and tired"(41). On 16 August, 15 students were kidnapped from the College of Agriculture in Zamfara State(42); the next day, nine students were abducted while returning home from Islamiyya School in Katsina State.(43) On 1 September 2021, an abduction of 73 students from Government Day Secondary School by suspected Fulani militants caused Zamfara State authorities to temporarily close all primary and secondary schools across the state.(44) Hundreds of schools and educational institutions have closed, one million children are without schooling because of attacks(45), and hundreds, if not thousands, of Nigerian children abducted in kidnapping-related incidents remain in militant captivity today likely in conditions of exploitation and servitude.(46)

Nigerian security forces have a track record of ignoring warning signs of imminent militant attacks and mass kidnappings. In 2014, more than four hours before the abduction of 270 students in Chibok, the Nigerian military received reports of an impending incident, and a local government official in Chibok even was asked by armed men about the location of the Government Girls' Secondary School, where the kidnapping would eventually take place hours later without any intervention by security forces.(47) Following the 2018 kidnapping of 110 schoolgirls from Government Girls Science and Technical College in Yobe State, it was revealed that military forces received phone calls and warnings that a group of Boko Haram militants were advancing on the town of Dapchi where the school was located.(48) While the issue of Nigerian state actors ignoring early warning signs has appeared to diminish in recent years, some civilians still state that state actors exhibit "reluctance to meaningfully engage armed threats" and act in a reactionary manner to kidnappings and terrorist activities rather than taking

preemptive measures.(49) Another issue obstacle to prevention of trafficking in persons via mass abduction is insufficient capacity and human capital. In March 2021, the Minister of State for Education, Chukwuemeka Nwajiuba, admitted that the government and state security agents simply do not have the capacity to secure every school in the nation.(50)

In the aftermath of the Chibok Kidnapping, in May 2014, Nigeria launched the Safe Schools Initiative (SSI) aiming to make schools safer via boundary walls, security guards, and rapid response mechanisms. It appears, however, that only the construction of perimeter walls has taken place, and these have already proven ineffective according to Minister of Education Nwajiuba.(51) The SSI became largely defunct by 2016, and it remained unclear what the \$30 million USD the project raised actually went towards, as the 30 schools chosen for the pilot phase of the program received none of the infrastructure improvement that was promised. Upon all inquiries to current UN Special Envoy on Education, also former UK Prime Minister Gordon Brown – who spearheaded the SSI financially – regarding where the funds were being spent to improve school security, he stated that “all funding was directed through and managed by the Nigerian government”. It is reasonable to believe that corrupt officials may have siphoned the money elsewhere; a former member of Buhari’s government, Babachir Lawal, who had access to the SSI financial accounts, is currently on trial for mismanagement of funds of unrelated contracts.(52) An NGO, Socio-Economic Rights and Accountability Project (SERAP), in April 2021 sent a letter to President Buhari stating that “rather than pushing to raise more funds for the Safe Schools Initiative programme, your government should prioritise and ensure a thorough, transparent, and effective investigation into the spending of the \$30 million initially budgeted for the protection of schools, prevention of attacks, and continued education for students.”(53) As recently as October 2021, Nigerian Senate President Ahmad Lawan admitted that he felt the SSI was designed to fail if it remained “unnecessarily controlled by the Finance Ministry”.(54) In light of the failure of the SSI to bolster the security of educational institutions, many schools that were expecting to benefit from the program but were left unassisted have resorted to using guard dogs and makeshift sandbag walls(55); meanwhile, students hid in bathrooms and cowered under their boarding school beds.(56) Moreover, state governments in Niger, Katsina, Kaduna, and Zamfara have imposed restrictions on civilians aimed towards stemming mass abductions; in light of the rise in mass abductions committed with the assistance of motorcycles and vehicles, repeated gasoline purchases are flagged for suspicious behavior, road curfews have been enforced, and it is prohibited to carry more than two individuals on a motorcycle.(57)

It is also worth noting that some schools themselves have expressed reluctance to improve their security measures. UNESCO and Exam Ethics Marshals International (EEMI) conducts schools safety conferences on an annual basis, but they have observed meager attendance by predominantly private schools and not the public schools which are disproportionately targeted for abductions. They have also noticed that the schools themselves have failed to draft emergency plans in the case of threats of insecurity, and in the case of mass kidnappings, this often leads to disorganized responses including panicked and incomplete evacuations. Nigerian professor of history Ayodeji Olukoju noted that “our reaction is always too slow; our security agencies, admittedly overstretched, are neither proactive nor even effectively reactive. So, we need a rapid response strategy focused on identifying threats to

vulnerable schools and forestalling attacks.” He also urged schools across the country to take an ‘it can happen to anybody’ approach so that they become “safety conscious” and more favorable towards conducting risk assessments.(58)

Despite the many obvious setbacks in the prevention of human trafficking via mass abductions, some noteworthy steps in the right direction were taken throughout the past year. In May and September 2021, respectively, the Nigerian government replaced the director-generals of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), Mrs. Imaan Sulaiman-Ibrahim and Mr. Basheer Mohammad, as they were chosen as political appointees, having both been former politicians and businesspersons.(59) The new director-general, Ms. Fatima Waziri-Azi, formerly headed the Department of Public Law at the Nigerian Institute of Advanced Legal Studies and has championed women’s rights and combating gender-based violence (GBV). The Minister of Humanitarian Affairs, Disaster Management and Social Development, Sadiya Umar Farouq, recommended Waziri-Azi for the position based on her “pedigree, vast experience and proven track record to drive the agency forward [...]”(60) Within the past year, NAPTIP has successfully reunited some kidnapped children with their families, including two three-year-old children who were abducted by their neighbor in Nasarawa and sold for adoption in Anambra(61), and a five-year-old girl who was kidnapped and sold under similar circumstances three years ago in 2018.(62) Months earlier in April 2021, NAPTIP rescued and returned to their parents five children between the ages of four to seven who were kidnapped in different incidents by the same man.(63) In the coming years, NAPTIP must engage in rescuing the hundreds of children who have been kidnapped en masse by armed militants and retained for the purposes of exploitation and servitude. Along those lines, the UN Office on Drugs and Crime (UNODC) announced that it has teamed up with NAPTIP and the Government of Switzerland to develop a new National Action Plan against Trafficking In Persons, having consulted more than 200 stakeholders, including civil society and state governments.(64) NAPTIP has also partnered with NGOs and civil society organizations and groups, such as the Link Sisters, to prevent acts of human trafficking by monitoring vulnerable communities and threats, detecting trafficking and criminality patterns, identifying perpetrators, and more.(65)

recommendations

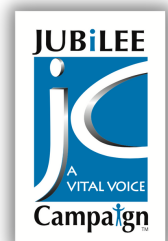
- National Agency for the Prohibition of Trafficking in Persons (NAPTIP) collaborate with Nigeria Police Force (NFP) and other civil society organizations (CSOs) and non-governmental organizations (NGOs) to finalize the new National Action Plan against Trafficking in Persons.
- Locate and safely rescue victims of human trafficking, including women and children who are exploited as servants and soldiers by militant groups.
- Make concrete efforts to identify, locate, and prosecute individuals directly or indirectly involved in trafficking in persons.
- Coordinate with civil society to improve Operation Safe Corridor and address the concerns of communities regarding the reintegration of former militants into free society.
- Cease the detention of victims of human trafficking (i.e., child soldiers, child suicide bombers) who were forced into engaging in criminal behaviors and activities against their will.
- Move forward with the prosecution of 800 former Boko Haram militants which was stalled due to judiciary strikes but has yet to be resumed.
- Develop alternative responses to instances

of mass kidnappings that do not include paying ransoms to perpetrators, as such response incentives further criminal and terrorist activities for profit. ● Expand the capacity of the Nigeria Police Force (NPF) and Nigerian military forces to respond promptly and effectively to early warnings of incidents (i.e., community attacks, mass abductions) that facilitate human trafficking. ● Recognize peoples, communities, societies, and institutions that are vulnerable to instances of human trafficking or related terrorist activity, and bolster their security. ● Expand public awareness campaigns aimed towards teaching civilians how to recognize the signs of human trafficking, how to report cases, and how to keep themselves and their communities safe from trafficking, and to teach survivors how to seek justice. ● Increase security at camps for internally displaced peoples (IDPs). ● Improve and expand the reach of services for survivors of trafficking in persons, including medical treatment, mental health counseling and therapy, shelters, essential skills training, employment assistance, and more. ● Establish a central database for coordination between National Agency for the Prohibition of Trafficking in Persons (NAPTIP), Nigeria Police Force (NPF), Nigeria Security and Civil Defence Corps (NSCDC), Federal Road Safety Corps (FRSC), and other agencies to coordinate their anti-trafficking activities and documentation.

conclusion

While the Government of Nigeria has made some commendable steps towards combating trafficking in persons, the nation does not meet the minimum standards as required by the Trafficking Victims Protection Act of 2000, notably with regards to the following:

- Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons, and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country, including, as appropriate, requiring incarceration of individuals convicted of such acts.
- Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons [...]
- Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.



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