

**ECPAT**



# COUNTRY OVERVIEW

*A report on the scale, scope and context  
of the sexual exploitation of children*

DECEMBER, 2024



# NIGERIA

ECPAT International would like to thank all those who contributed to the drafting of this report.

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ECPAT International, WOCON and ACSAI would also like to extend their gratitude to the professionals who agreed to share their insights and experience for the purpose of this report:

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ECPAT International, WOCON and ACSAI would also like to acknowledge the special contribution to the validation workshop by:

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ECPAT International acknowledges the core funding support for its overall organisational objectives from the Swedish International Development Cooperation Agency (Sida) and Oak Foundation. The opinions expressed in this document belong solely to ECPAT International. Support from these donors does not constitute endorsement of the views expressed



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**Suggested citation:**

ECPAT International. (2024). *ECPAT Country Overview: Nigeria*

Published by:

**ECPAT International**

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Bangkok, 10400 Thailand

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## Table of contents

<i>Preface</i>	1
<i>At a Glance</i>	2
<i>Introduction</i>	3
<i>Sexual Exploitation of Children in Nigeria</i>	6
<i>International, Regional and National Commitments and Legal Framework</i>	17
<i>National Response to the Sexual Exploitation of Children</i>	25
<i>Children's and survivors' participation</i>	34
<i>Recommendations</i>	35

# PREFACE

Recent years have seen unprecedented progress towards embedding children's right to protection from sexual exploitation more deeply into the global agenda, including the global mandate to eliminate the sexual exploitation of children enshrined in the Sustainable Development Goals adopted by world leaders in 2015.

ECPAT Country Overviews on the sexual exploitation of children provide an effective tool for advocacy at all levels as well as for monitoring, including on government commitments made in the Sustainable Development Goals to end violence against children in all its different forms by 2030.

ECPAT Country Overviews are first and foremost, a desk review exercise that gather and present the existing publicly available information into a comprehensive summary of all forms of sexual exploitation of children in a country. The desk review is complemented with information retrieved through qualitative interviews with key informants. ECPAT Country Overviews provide an assessment of achievements and challenges in implementing

counteractions - including with the participation of children themselves - to eliminate the sexual exploitation of children. ECPAT Country Overviews also suggest concrete priority actions urgently needed to proactively advance the national fight against sexual exploitation of children and enable the monitoring of the implementation of international instruments on child rights related to sexual exploitation that have been ratified by the State. Furthermore, the ECPAT Country Overviews provide well-organised information and research, which can be used in preparing alternative reports and submissions for human rights mechanisms at global, regional and national level.

During the process, drafts are shared with ECPAT members, relevant local organisations, and experts working on the ground who review the content and supplement the information with other local sources and analysis. ECPAT International greatly relies on the contributions of all those involved in producing these reports and would like to express its profound appreciation for their invaluable inputs.

This ECPAT Country Overview for Nigeria incorporates insights from fourteen key informants, including representatives from civil society organisations working in child protection, organisations supporting child survivors and those aiding children in conflict areas, law enforcement professionals and government representatives.

A validation workshop was held on the 25<sup>th</sup> and 26<sup>th</sup> of June 2024 in Lagos, with 50 participants from Federal and State Agencies, civil society organisations, faith-based and traditional leaders, educators, counsellors and legal practitioners. Participants provided feedback on the report and in particular the recommendations stemming from the findings to enhance the prevention and response to child sexual exploitation in Nigeria.

## AT A GLANCE

Nigeria is the most populous nation in Africa, situated on the continent's western coast. In 2023, Nigeria's population was 227.8 million, with approximately half—110.2 million—being under the age of 18. Despite being the 31st largest global economy, more than half of Nigerians live in multidimensional poverty. In 2022, children accounted for 51% of all individuals living in poverty. Poverty remains a significant factor that increases the risk of child sexual exploitation. Nearly 25 million children were engaged in child labour, in 2022, with over 14 million involved in hazardous work. Girls employed as waitresses and domestic workers are particularly vulnerable to sexual exploitation.

Educational disparities based on wealth and gender persist in Nigeria, with low levels of education significantly increasing the risk of child marriage. School attacks, particularly in northern Nigeria, pose a significant threat to children. These attacks often involve abductions, primarily targeting girls, which are linked to child marriage and other forms of gender-based violence.

Humanitarian crises, such as the ongoing crisis in the North-East due to Boko Haram, exacerbate risks for children, leading to increased cases of forced recruitment in armed groups, exploitation, and child marriage. Social stigma and the tendency to keep matters of sexuality private are among the factors contributing to the lack of data on the sexual

manifestations in Nigeria. Furthermore, these societal dynamics, combined with harmful social norms, not only perpetuate the occurrence of sexual exploitation of children but also prevent children and their families from reporting cases or seeking help.

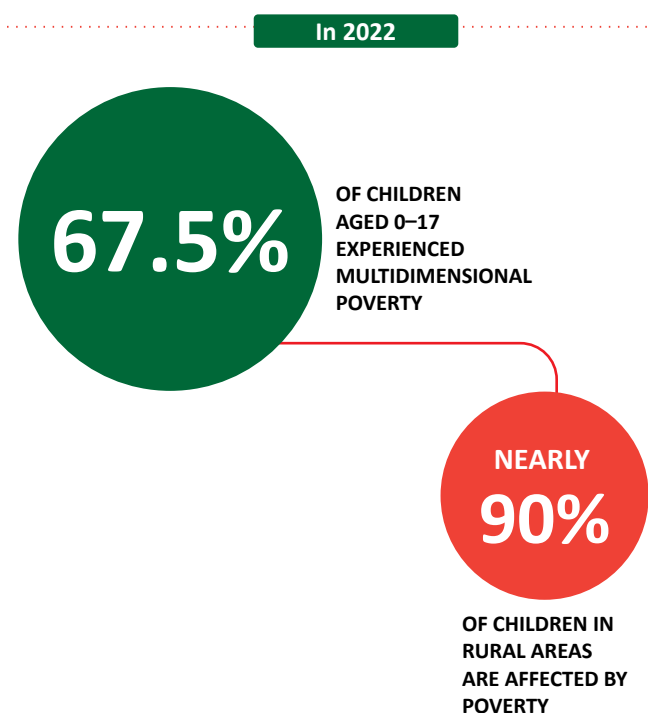
Nigeria has ratified most major international and regional conventions relating to the fight against child sexual exploitation. National legislation has gradually been adapted to address most forms of child sexual exploitation, aligning with the country's international commitments. However, certain limitations remain. In addition, due to Nigeria's plural legal orders, the implementation of legislation has been challenging owing to the lack of uniform definitions of offences and penalties across states. The existing national action plans, along with the ongoing efforts of various entities in Nigeria, including government departments, national agencies, and civil society organisations, are actively addressing the sale and trafficking of children for sexual purposes and working to end child marriage. However, additional efforts are required in addressing exploitation of children in prostitution, technology-facilitated child sexual exploitation and abuse, and sexual exploitation of children in travel and tourism. A coordinated approach that combines legal authority and funding to take more decisive action is also needed.

# INTRODUCTION

African continent and is also its most populous country. The population of Nigeria was 227.8 million in 2023.<sup>1</sup> Out of this total, 110.2 million, or approximately 50%, were under the age of 18.

Despite Nigeria being the 31st largest economy in the world, with a GDP of US\$362.81 billion in 2023,<sup>2</sup> over half of its population lives in multidimensional poverty.<sup>3</sup> In 2022, 67.5% of children aged 0–17 experienced multidimensional poverty, with children comprising 51% of all individuals living in poverty.<sup>4</sup> Child poverty is particularly prevalent in rural areas, where nearly 90% of children are affected.<sup>5</sup> Poverty, along with unemployment, population, inflation, and high cost of living are the major causes of child labour in Nigeria.<sup>6</sup> Indeed, in 2022, almost 25 million children were involved in child labour and over 14 million in hazardous labour.<sup>7</sup> Street hawking is the most common form of child labour in Nigeria, and it exposes children to various dangers, including sexual exploitation, due to their isolation and vulnerability.<sup>8,9</sup> Key informants<sup>10,11</sup> interviewed for this overview and news reports suggest that many adolescent girls working as waitresses in bars, motels and marketplace, and domestic workers are at risk of sexual exploitation.<sup>12</sup>

## Over half of Nigeria's population lives in multidimensional poverty



1 UNICEF. (2024). *The State of the World's Children 2024 Statistical Compendium*.

2 The World Bank. (2022). *GDP (current US\$) - Nigeria*.

3 *Ibid.*

4 National Bureau of Statistics. (2022). *Nigeria launches its most extensive national measure of multidimensional poverty*.

5 *Ibid.*

6 Muyiwa, A.O. (2023). *A Legal Analysis of Child Labour and Exploitation in Nigeria*.

7 International Labour Organisation and Nigeria National Bureau of Statistics (NBS). (2022). *Nigeria Child Labour Survey 2022*.

8 Okocha, D. O. (2022). *Utilisation of Social Media for Child Abuse Prevention in Nigeria*. In *Handbook of Research on Bullying in Media and Beyond* (pp. 88–99). IGI Global.

9 Fm, Balogun., Oe, Adenowuro. (2020). *Prevalence and pattern of child sexual abuse: A cross-sectional study among male secondary school adolescents in Ibadan, Nigeria*. *Journal of Child and Adolescent Health*, 4(1), 1-8.

10 M Olakunle Sanni from Child Protection Network Nigeria.

11 Ijeoma Mary Amugo from The National Agency for the Prohibition of Trafficking in Persons.

12 Aborisade, R. A. (2021). *"To Serve and Be Abused": The Use of Adolescent Girls as Waitresses in Outdoor Drinking Bars in Lagos, Nigeria*. *Journal of Child Sexual Abuse*, 1–22. 16.

Children can be vulnerable to sexual exploitation in times of movement, especially while living on the streets. According to two key informants representing organisations working with children living on the streets,<sup>13</sup> children who travel unaccompanied for different reasons (such as for education purposes) face more risks of being sexually exploited and abused by those facilitating the movement, such as drivers. Key informants further indicated that information on their characteristics, vulnerabilities and experiences is difficult to collect and document due to the flexibility of their movement trajectories. A key informant also claimed that there are increased risks of sexual exploitation for children in street situations, in particular because of begging.<sup>14</sup> This is a practice in the context of the Almajiranci Islamic education system where children – especially boys - are sent away from their parents to study at an Islamic school and forced to beg within these contexts.<sup>15</sup> Another informant indicated that the movement of unaccompanied children may on the other side contribute to their safety if they are escaping from difficult situations.<sup>16</sup> However, the lack of checks and services available at transit points poses challenges in ensuring the safety and support of these children.

Regarding education, the 2021 Nigeria Multiple Indicators Cluster Survey highlights significant educational disparities based on wealth and gender.<sup>17</sup> Children are also exposed to sexual exploitation within school settings due to power dynamics between students and teachers as reported by an interviewed informant from a non-governmental organisation.<sup>18</sup> School attacks have threatened children's education and overall well-being. According to Amnesty International,

from 2014 to April 2024, over 1,700 children have been abducted by Boko Haram.<sup>19</sup> Incidents of child marriage, gender-based violence, and the recruitment of boys as fighters have been linked to these school attacks.<sup>20</sup>

When looking at vulnerabilities to sexual exploitation, low levels of education contribute to a higher risk of child marriage, particularly among girls. Studies show that a lack of education is correlated with increased instances of child marriage and early childbearing.<sup>21</sup> The 2021 Nigeria Multiple Indicators Cluster Survey further reveals that marriage or union, occurring before age 18, is most common among women aged 20-49 who lack formal education (63%) and those from the poorest households (57%).<sup>22</sup>

Another group of children particularly at risks of being sexually exploited and abused in Nigeria are abandoned children labelled as witches. The widespread stigmatisation of these children, many of whom end up living on the streets, creates opportunities for offenders to take advantage of this situation.<sup>23</sup> They are targeted by traffickers who exploit them for sexual exploitation, forced labour, rituals, or illegal adoptions.<sup>24</sup>

Physical violence against children is a widespread problem in Nigeria.<sup>25</sup> Although recent comprehensive statistics on physical violence against children do not exist, the 2021 Multiple Indicator Cluster Survey revealed that, of the 71,519 children of women surveyed in Nigeria aged between 1 and 14, 90% experienced some form of violent discipline from their caregivers.<sup>26</sup>

13 Comfort Alli representative from Street Child Care and Welfare Initiative and representative from Injana Transit Home.

14 Kabiru Musa representative from Kebbi Youth Connect Initiative.

15 UNICEF. (2020, September 10). *Children adjust to life outside Nigeria's Almajiri system*.

16 M Olakunle Sanni representative from Child Protection Network Nigeria.

17 National Bureau of Statistics (NBS) and United Nations Children's Fund. (2022). *Multiple Indicator Cluster Survey 2021, Statistical Snapshot Report*. Abuja, Nigeria: National Bureau of Statistics and United Nations Children's Fund.

18 Comfort Alli representative from Street Child Care and Welfare Initiative.

19 Amnesty International. (2024, April 14). *Nigeria: Decade after Boko Haram attack on Chibok, 82 girls still in captivity*.

20 Global Coalition to Protect Education from Attack. (2018). *"I Will Never Go Back to School": The Impact of Attacks on Education for Nigerian Women and Girls*.

21 Malé, C., & Wodon, Q. (2023). *UNESCO Knowledge Brief: Nigeria: Girls' Education, Child Marriage, and Early Childbearing across States*.

22 National Bureau of Statistics (NBS) and United Nations Children's Fund. (2022). *Multiple Indicator Cluster Survey 2021, Statistical Snapshot Report*. Abuja, Nigeria: National Bureau of Statistics and United Nations Children's Fund.

23 Agazue, C. (2021). *Child Witches: Sexual Exploitation and Abuse of Homeless Girls in Southern Nigeria*. *Dignity: A Journal of Analysis of Exploitation and Violence*: Vol. 6: Iss. 1, Article 3. 22.

24 *Ibid.*

25 UNICEF. Nigeria. (n.d.). *Ending Violence Against Children in Nigeria*.

26 National Bureau of Statistics (NBS) and United Nations Children's Fund (UNICEF). (2022). *Multiple Indicator Cluster Survey 2021, Survey Findings Report*. Abuja, Nigeria: National Bureau of Statistics and United Nations Children's Fund.

Linked to physical violence, gender-based and domestic violence are also common in Nigeria.<sup>27</sup> Girls and young women face significant challenges due to harmful practices and gender-biased social norms. Female genital mutilation remains a concern in Nigeria. Data from the Demographic and Health Surveys indicate a decrease in prevalence among women aged 15–49, from 24.8% in 2013 to 19.5% in 2018. However, this reported reduction may be influenced by factors such as social desirability bias and community self-surveillance.<sup>28</sup> In addition, the Nigeria Demographic and Health Survey in 2018 reported that 30% of Nigerian women aged between 15 and 49 have faced violence from their spouses or partners.<sup>29</sup>

This situation is worsened by a culture of silence and victim-blaming.<sup>30</sup> Victims are often held responsible for the abuse or violations they suffered.<sup>31</sup> Such stigma and victim-blaming attitudes lead to shame and uncertainty about where to seek help when facing abuse, resulting in the underreporting of the incidents.<sup>32</sup> In cases where abuse is reported, victims are often met with disbelief or are blamed for provoking the abuse.<sup>33</sup> A key informant stated that one of the greatest challenges has been making people aware that they can report incidents. This is further emphasised by another interviewed key informant who stated that sexual abuse cases are considered family matters and therefore kept private.<sup>34</sup>

## PHYSICAL VIOLENCE AGAINST CHILDREN



**THE 2021 MULTIPLE INDICATOR CLUSTER SURVEY REVEALED THAT, OF THE 71,519 CHILDREN OF WOMEN SURVEYED IN NIGERIA, AGED BETWEEN 1 AND 14**

# 90%

**EXPERIENCED SOME FORM OF VIOLENT DISCIPLINE FROM THEIR CAREGIVERS**

27 Ibid. 6; UNFPA Nigeria. (2023). *Advocacy brief. End all forms of gender-based violence and harmful practices against women and girls in Nigeria*. United Nations Population Fund.

28 Orchid Project and 28 Too Many. (2023). *FGM/C in Nigeria: Country Profile Update March 2023*.

29 National Population Commission -Nigeria, & ICF. (2019). *2018 Nigeria DHS Key Findings*. Abuja, Nigeria and Rockville, Maryland, USA: NPC and ICF.

30 Equality Now. (2021). *Ending Online Sexual Exploitation and Abuse of Women and Girls: A Call for International Standards*.

31 Ibid.

32 Aborisade, R., et al. (2023). *Child Sexual Abuse in Nigeria: Exploring Vulnerability and Prevention from a Policing Perspective*. *Journal of Social Service Research*, 49(4), 461-475.

33 Juliet Ohahuru Obiora representative from Action Against Child Sexual Abuse Initiative.

34 Tumininu Oni representative from Lagos State Domestic and Sexual Violence Agency.

# SEXUAL EXPLOITATION OF CHILDREN IN NIGERIA

## EXPLOITATION OF CHILDREN IN PROSTITUTION

Article 2 (b) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC) defines ‘child prostitution’ as “the use of a child in sexual activities for remuneration or any other form of consideration”. In order to avoid the risk of stigmatising children exploited in/for prostitution, or of inadvertently legitimising such practices, “exploitation in prostitution” represent a more appropriate way to address the issue, because it underlines the element of exploitation of the child and leaves no doubt as to the fact that the child is not to be held responsible for the acts that follow from their situation.<sup>35</sup>

There is no official statistical data available on the number of children exploited in prostitution in Nigeria, and research on this topic is limited. The lack of data can be attributed to various factors, including the sensitivity of the issue in the country, the tendency to keep matters of sexuality private, and the significant stigma surrounding exploitation of children in prostitution in many African societies.<sup>36</sup> Evidence from academic studies, organisational and media reports suggest however that the sexual exploitation of children in prostitution persists in the country.<sup>37,38,39</sup>

Despite being largely illegal as detailed in section 3 of this report, the practice of adult sex work is widely accepted, particularly in the southern regions of the country.<sup>40,41,42,43</sup> Studies provide a clearer picture of the modalities and locations of exploitation, starting with brothels present across all regions of Nigeria and often operating under disguise as “hotels”, “drinking bars” and “drinking joints”.<sup>44</sup> Nigerian girls, including those trafficked from the eastern and northern regions, are reportedly exploited by brothel owners within the country.<sup>45,46</sup> An undercover investigation by a local newspaper in 2021, revealed that many of these brothels relied on police support, with women and girls as young as 15 making payments through the

35 Interagency Working Group on Sexual Exploitation of Children. (2016, January 28). *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*. 58. Bangkok: ECPAT International.

36 Oyafunke-Omoniyi, C., & Adewusi, A. (2022). *Child prostitution in Ibadan, Nigeria: Causes, perceived consequences and coping strategies*. *Cogent Social Sciences*, 8(1).4.

37 ECPAT International (2020). *Summary Paper on Sexual Exploitation of Children in Prostitution*. Bangkok: ECPAT International.

38 THIS DAY LIVE. (2023). *Tackling the Growing Menace of Child Prostitution in Anambra*.

39 Oyafunke-Omoniyi, C., & Adewusi, A. (2022). *Child prostitution in Ibadan, Nigeria: Causes, perceived consequences and coping strategies*. *Cogent Social Sciences*, 8(1).4.

40 Aborisade, R. A., & Oshileye, T. A. (2020). “Voiceless Victims”: Children Living in the Red-Light Areas of Ibadan, Nigeria. *Journal of Victimology and Victim Justice*, 2.

41 Nwangwu, C., Ayuk, C., & Chukwujindu, I. (2022). *Public Perception and Socio-Economic Factors Sustaining Commercial Sex Work in Enugu State, Nigeria*. *Nigerian Journal of Social Psychology*, 5(2).

42 Okoro, C. et al. (2021). *Destitution And Prostitution In Nigerian Urban Areas: Evidence From Psychological, Social, And Economic Perspectives*. *Research in Social Change*. *Research in Social Change*, 13(1), 102-110

43 Saliyu, H. A., & Fawole, O. A. (2021). *Police Crackdowns, Human Rights Abuses, and Sex Work Industry in Nigeria: Evidence From an Empirical Investigation*. *International Criminal Justice Review*, 31(1), 40-58.

44 Aborisade, R. A., & Oshileye, T. A. (2020). “Voiceless Victims”: Children Living in the Red-Light Areas of Ibadan, Nigeria. *Journal of Victimology and Victim Justice*, 7.

45 Obarayese, S. (2021). *Undercover: Police, brothel owners make millions as child prostitution, sex trafficking reign in Osun*. *Daily Post Nigeria*.

46 United States Department of State. (2024). *2024 Trafficking in Persons Report: Nigeria*.



brothel owner to secure this support.<sup>47</sup> A study on public perception and socio-economic factors sustaining commercial sex work in Enugu State reveals children raised in or near red-light districts are found to be at higher risk of physical, emotional, and sexual abuse and exploitation compared to those living outside these areas.<sup>48</sup>

Media sources reported that young girls are tricked into forced prostitution under the guise of offering them employment.<sup>49</sup> According to a 2023 investigation by a local media outlet, older and more experienced sex workers often coerce young girls into sexual exploitation.<sup>50</sup> In a 2022 study on the sexual exploitation of children in prostitution in Ibadan, Nigeria, factors identified as enablers included peer influence, insufficient, emotional, and spiritual support, as well as experiences of molestation.<sup>51</sup> Additionally, most respondents believed that a lack of sexuality education could lead girls to be tricked into engaging in sexual exploitation in prostitution.<sup>52</sup> The study also highlighted that exploitation in prostitution may sometimes be seen by these girls as their only means of survival.<sup>53</sup> Under challenging circumstances, young girls feel compelled to support their families and are often coerced into selling items on the street, making them vulnerable to sexual exploitation.<sup>54</sup>

## TECHNOLOGY-FACILITATED CHILD SEXUAL EXPLOITATION AND ABUSE

Technology-facilitated child sexual exploitation and abuse refers to situations involving digital, Internet and communication technologies at some point during the continuum of exploitation. It can occur fully online or through a mix of online and in-person interactions between perpetrators and children.

Technology-facilitated child sexual exploitation and abuse includes an evolving range of practices including conduct related to child sexual abuse material (e.g. production, distribution, dissemination, possession of, etc.), grooming children online for sexual purposes, live streaming of child sexual abuse. Related concepts can include online sexual extortion, the non-consensual sharing of self-generated sexual content involving children, unwanted exposure to sexualised content, among others.<sup>55</sup>

47 Ikuteyijo, O. O., Akinyemi, A. I., & Merten, S. (2022). *Exposure to job-related violence among young female sex workers in urban slums of Southwest Nigeria*. ProQuest, 1–11.

48 Nwangwu, C., Ayuk, C., & Chukwujindu, I. (2022). *Public Perception and Socio-Economic Factors Sustaining Commercial Sex Work in Enugu State, Nigeria*. *Nigerian Journal of Social Psychology*, 5(2).

49 Obarayese, S. (2021). *Undercover: Police, brothel owners make millions as child prostitution, sex trafficking reign in Osun*. *Daily Post Nigeria*.

50 THIS DAY LIVE. (2023). *Tackling the Growing Menace of Child Prostitution in Anambra*.

51 Oyafunke-Omoniyi, C., & Adewusi, A. (2022). *Child prostitution in Ibadan, Nigeria: Causes, perceived consequences and coping strategies*. *Cogent Social Sciences*, 8(1).17.

52 *Ibid.* 13.

53 *Ibid.*

54 Faith-based coalition. (2019). *Nigeria UPR 2018. Stakeholder submission*.

55 Interagency Working Group on Sexual Exploitation of Children. (2016, January 28). *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*. Bangkok: ECPAT International.

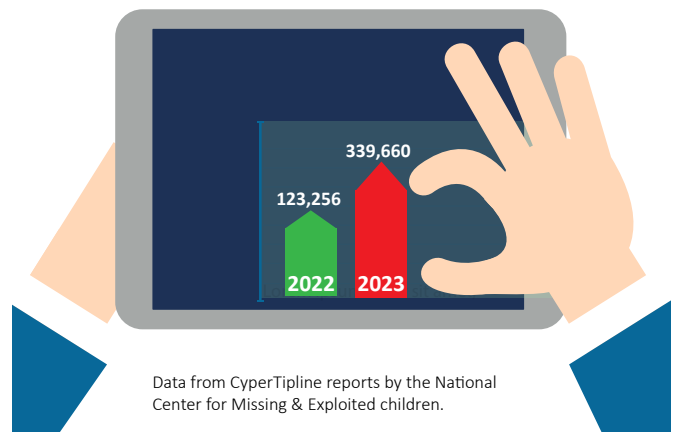
As of 2022, 35% of the population in Nigeria used the internet.<sup>56</sup> A study by the Nigerian Communications Commission surveyed 3409 children aged 4-16 years old to explore their use of technology devices, challenges and risks, and provide recommendations to mitigate the identified challenges. The study found that 93% of children aged 11-16 and 45% of those aged 4-10 go online using their own mobile phones, highlighting a high rate of phone ownership among children in Nigeria.<sup>57</sup> While 85% of children living in urban areas were found to browse and chat on social networking sites daily, this proportion dropped to 20% for those living in rural areas.<sup>58</sup> The survey revealed that 56% of 11-16-year-olds in Nigeria use the Internet without adult restrictions, while 94% of younger children (ages 4-10) have parental guidance on their Internet use.<sup>59</sup>

Despite the evident benefits of widespread mobile phone use and Internet connectivity for children, including access to information and educational tools, there is a growing concern about potential risks, particularly related to child sexual exploitation. The misuse of technology provides perpetrators with tools to groom and exploit children.<sup>60</sup> During interviews, some key informants reflected on the role of technology in the sexual exploitation of children in Nigeria, mentioning how this takes place, on social media platforms such as Instagram or Telegram.<sup>61</sup>

In line with the global trends, comprehensive data and statistics on technology-facilitated sexual abuse and exploitation of children remain limited in Nigeria. Factors such as stigma, shame, and socio-cultural barriers prevent children from openly discussing incidents.<sup>62</sup> However, CyberTipline reports indicated a rise in cases of online child sexual

exploitation in Nigeria.<sup>63</sup> Indeed, in 2023, there were 339,660 reports of child sexual abuse material uploaded in Nigeria,<sup>64</sup> marking a significant rise from the 123,256 cases reported in 2022.<sup>65</sup> Similarly, the National Agency for the Prohibition of Trafficking in Persons reported a rise in cases of child sexual abuse material, sexual extortion, particularly financially motivated, and revenge porn within the same timeframe.<sup>66,67</sup>

## REPORTS OF CHILD SEXUAL ABUSE MATERIAL



The 2021 study by the Nigerian Communications Commission indicated that 90% of a total of 3,409 children aged 4-16 encountered sexual images or content on the Internet, 63% experienced unwanted sexual approaches in chat rooms/social network, and 60% received sexual images or content.<sup>68</sup> Similarly, in a 2022 academic study aimed at examining the influence of social media on child abuse prevention in Nigeria, the majority of the 30 participants in focus group discussions reported encountering child sexual abuse material online. Most respondents used terms such as “very often” and “often” to

56 The International Telecommunication Union. (n. d.). *Digital Development Dashboard: Nigeria*.

57 Nigerian Communications Commission. (2021). *Final Report. Study on Young Children and Digital Technology: A Survey Across Nigeria*. 27.

58 *Ibid.* 30.

59 *Ibid.* 34.

60 ECPAT International. (2020). *Summary Paper on Online Child Sexual Exploitation*. Bangkok: ECPAT International. 3.

61 Denis Onoise representative from UNICEF, Rv. Sis. Patricia Ebegbulem representative from Bakhita Empowerment Center, Tumininu Oni representative from Lagos State Domestic and Sexual Violence Agency

62 Equality Now. (2021). *Online sexual exploitation and abuse in Nigeria*.

63 National Center for Missing & Exploited Children. (2023). *2023 CyberTipline Reports by Country*; National Center for Missing & Exploited Children. (2022). *2022 CyberTipline Reports by Country*; National Center for Missing & Exploited Children. (2021). *2021 CyberTipline Reports by Country*; National Center for Missing & Exploited Children. (2020). *2020 CyberTipline Reports by Country*.

64 National Center for Missing & Exploited Children. (2023). *2023 CyberTipline Reports by Country*.

65 *Ibid.*

66 Davis, P. (2022). *Online child abuse has no borders - NCMEC training out of Africa*. National Center for Missing & Exploited Children.

67 Abdullahi, M. (2023). *NAPTIP: Child sexual content rising on the Internet*. *The Cable*.

68 Nigerian Communications Commission. (2021). *Final Report. Study on Young Children and Digital Technology: A Survey Across Nigeria*. 27.

characterise the frequency with which they come across such content.<sup>69</sup>

Although acknowledging that technology-facilitated violence is not exclusive to women and girls, existing studies indicate that they are more exposed to it.<sup>70</sup> Online abuse on women and girls in Nigeria includes non-consensual sharing of intimate images, threats of rape, cyberstalking, and doxing.<sup>71</sup> A study with female secondary school students in Oyo State shows that online grooming for sexual exploitation is a significant issue. Out of 250 survey respondents, 60-80% of students experienced online grooming for sexual purposes.<sup>72</sup>

Furthermore, according to the National Agency for the Prohibition of Trafficking in Persons, traffickers are using the Internet as a means to exploit girls victims of trafficking by forcing them to take sexualised or undressed photos before or when they reach a new country, and then use the threat of sharing the videos online to control them.<sup>73</sup> A related trend involves a rise in the recruitment and exploitation of trafficking victims (children and adults) through various social media platforms, including the dark web.<sup>74</sup>

## SALE AND TRAFFICKING OF CHILDREN FOR SEXUAL PURPOSES

Article 3 (c) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Trafficking Protocol) specifies that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation is considered trafficking in persons even if it does not involve any of the means stipulated for adult victims.<sup>75</sup> In other words, the Protocol recognises that children can never be willing participants to their own exploitation.

For its part, the OPSC deals with the ‘sale of children’, defined as “any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration”.<sup>76</sup>

Both concepts are often used in conjunction and without any clear distinction. However, despite a certain overlap, ‘sale of children’ is not identical to ‘trafficking’. The ‘sale of children’ always involves some form of commercial transaction, which trafficking in children does not require, but does not necessarily include the purpose of exploiting a child (e.g. sale of children for illegal adoption). Therefore, ‘sale of children’ is not necessarily related to sexual abuse and sexual or other forms of exploitation. Lastly, the ‘sale of children’ can take place without physically moving the child out of their social environment, whereas trafficking inherently depends on the movement of the child.<sup>77</sup>

69 Okocha, D. O. (2022). *Utilisation of social media for child abuse prevention in Nigeria*. In *Handbook of Research on Bullying in Media and Beyond* (pp. 88–99). IGI Global.

70 Paradigm Initiative. (2021). *Online violence against women in Nigeria during Covid-19*. Paradigm Initiative. 3.

71 Aro, B. (2023). *NGO, META seek ways to prevent internet-based sexual abuse*. *The Cable*.

72 Omiunu, O. (2020). *Online sexual grooming among female secondary school students: A Nigerian case study*. *Journal of Information Science, Systems and Technology*, 4(3), 64-77.

73 National Agency for the Prohibition of Trafficking in Persons. (2023). *Country Data Collection and Analysis on Human Trafficking - 2019-2021*. 25.

74 National Agency for the Prohibition of Trafficking in Persons. (2023). *EDigest – April 2023 – NAPTIP*.

75 UN General Assembly. (2000, November 15). *United Nations Convention against Transnational Organized Crime, Annex 2: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol)*. Res. 55/25 of 15. Art. 3 (a) and (c).

76 OPSC, Article 2 (b).

77 Interagency Working Group on Sexual Exploitation of Children. (2016, January 28). *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*. 58. Bangkok: ECPAT International.

Nigeria is a country of origin, transit, and destination for victims of trafficking in human beings.<sup>78</sup> Based on the National Agency for the Prohibition of Trafficking in Persons' statistics spanning 2019 to 2022, 61% of human trafficking (children and adults) in Nigeria occurs within the country, while 39% happens across Nigeria's borders.<sup>79</sup> Internal trafficking within Nigeria is therefore widespread, with local traffickers targeting victims from rural areas, particularly in the southern regions.<sup>80</sup> The National Agency for the Prohibition of Trafficking in Persons asserted that although trends and proportionality may differ, all states in Nigeria are currently affected by human trafficking.<sup>81</sup>

Cross-border trafficking involving Nigerian victims extends across various regions, including Africa, Europe, Asia, and the Middle East.<sup>82</sup> Criminal groups and brothel owners traffic women and girls for sexual purposes, with popular destinations being Italy, Spain, the United Kingdom, Côte d'Ivoire, Mali, South Africa, and, more recently South America, especially Venezuela.<sup>83,84</sup> According to 2021 data, the highest number of victims rescued outside Nigeria were in Mali, Burkina Faso, and the United Arab Emirates.<sup>85</sup>

From 2019 to 2021, sexual exploitation, both domestically and internationally, remained the predominant form of trafficking in Nigeria.<sup>86</sup>

In 2021, the National Agency rescued a total of 1,470 victims of trafficking, including, including for sexual exploitation. Out of the total, 52% were under the age of 18.<sup>87</sup> While data is not disaggregated by age and purpose of exploitation, these figures may suggest a prevalence of trafficking of children for sexual purposes across Nigeria.

This concerning trend is also echoed by the Women's Consortium of Nigeria, which has warned that many victims of both internal and external trafficking are children.<sup>88</sup> In addition, multiple media sources have reported children being trafficked for sexual purposes in Nigeria and beyond its borders.<sup>89,90</sup> Traffickers coerce children into various forms of labour,<sup>91</sup> with those trafficked for domestic labour often experiencing.<sup>92</sup>

Children from rural areas are also particularly at risk of being lured by traffickers and transported to cities like Lagos, Abeokuta, Ibadan, Kano, Calabar, and Port Harcourt.<sup>93</sup> Media reports also highlight trafficking risks for girls from the Madinatu, an internally displaced persons camp, within Nigeria and to countries such as Saudi Arabia, Libya, Niger, and Italy.<sup>94</sup> In addition, children abandoned due to witch stigmatisation, especially in Akwa Ibom State, are targeted by traffickers who may exploit them for various purposes, including sexual purposes, labour in other countries, rituals, or illegal adoptions.<sup>95</sup>

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- 78 European Union Agency for Asylum. (2021). *Country Guidance Nigeria 2021. Victims of human trafficking, including forced prostitution*.
- 79 National Agency for the Prohibition of Trafficking in Persons. (2022). *NAPTIP, Development Partners and Stakeholders Re-Strategize to Tackle Human Trafficking as Boot Camp for Members of State Task Forces Kicks Off in Abuja*.
- 80 United States Department of State. (2024). *2024 Trafficking in Persons Report: Nigeria*.
- 81 National Agency for the Prohibition of Trafficking in Persons. (2022). *NAPTIP, Development Partners and Stakeholders Re-Strategize to Tackle Human Trafficking as Boot Camp for Members of State Task Forces Kicks Off in Abuja*.
- 82 United States Department of State. (2024). *2024 Trafficking in Persons Report: Nigeria*.
- 83 *Ibid.*
- 84 Ukwayi, J., Angioha, P., & Aniah, E. (2019). *Associate Factors of Trafficking in Women and Children in Calabar, Cross River State, Nigeria*. *European Journal of Political Science Studies*, 2.
- 85 National Agency for the Prohibition of Trafficking in Persons (2022). *2021 Data Analysis*. 13.
- 86 Pathfinders Justice Initiative. (2022). *Nigeria: Human Trafficking Factsheet*.
- 87 Among them, 286 were in the 0-11 age group (103 males and 183 females), 482 were in the 12-17 age group (80 males and 402 females), and 702 were 18 and above (61 males and 641 females). National agency for the prohibition of trafficking in persons. (2022). *2021 Data Analysis*. 10.
- 88 Women's Consortium of Nigeria. *Trafficking in Nigeria | Women's Consortium of Nigeria | committed to the enforcement of Women and children's rights*.
- 89 Ovuorie, T. (2022). *The ugly truth about Nigeria's child trafficking*. DW.COM.
- 90 Haruna, H. (2023). *Nigerian Woman Faces Trial for Allegedly Trafficking More Than 120 Children*. *The News Chronicle*.
- 91 Kiss, L., Fotheringham, D., Kyegombe, N., McAlpine, A., Abilio, L., Kyamulabi, A., Walakira, E. J., Devries, K., & Tanton, C. (2022). *Paper: violence, abuse and exploitation among trafficked women and girls: a mixed-methods study in Nigeria and Uganda*. *BMC Public Health*, 22(1).
- 92 Women's Consortium of Nigeria. *Trafficking in Nigeria | Women's Consortium of Nigeria | committed to the enforcement of Women and children's rights*.
- 93 *Ibid.*
- 94 Obaji, P. (2020). *Survivors of Nigeria's "baby factories" share their stories*.
- 95 Agazue, C. (2021). *Child Witches: Sexual Exploitation and Abuse of Homeless Girls in Southern Nigeria*. *Dignity: A Journal of Analysis of Exploitation and Violence*, 6(1), Article 3. 22.

At times parents willingly send their children to the city for work, or children get in contact with traffickers themselves due to peer pressure, curiosity, or lack of alternative.<sup>96</sup> Additionally, children may be kidnapped or lured into trafficking for sexual exploitation is through false promises of employment, vocational training, or marriage.<sup>97</sup>

A new trend related to the trafficking of children is the so-called “baby factory” phenomenon. “*Baby factories are illegal shelters that harbour young women who give birth to children for trafficking and illegal adoption either at their will or under slavery-like conditions.*”<sup>98</sup> Such illegal places are particularly common in the southern part of the country.<sup>99,100</sup>

In some instances, unmarried pregnant women are offered healthcare, but their children are taken away instead. In other cases, women are subjected to rape and forced into pregnancy.<sup>101</sup> Young girls facing job desperation or stuck in challenging conditions in camps for internally displaced people are often approached by a person promising them employment and a better life. However, upon entering these supposed workplaces, they find themselves trapped in isolated conditions, sexually abused and compelled to carry their pregnancies to term.<sup>102,103</sup> Media reports describe instances where girls, some as young as 13, were subjected to repeated sexual assault, even during pregnancy.<sup>104,105</sup>

A key informant noted that local agencies in Lagos are actively monitoring and raiding suspected baby factories and rescuing victims, preventing them to continue their operations.<sup>106</sup>

## SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

The sexual exploitation of children in travel and tourism is defined as any “acts of sexual exploitation embedded in a context of travel, tourism, or both”.<sup>107</sup> The UN Tourism Framework Convention on Tourism Ethics recognises that the exploitation of children conflicts with the fundamental aims of tourism and should be strongly combated with the cooperation of all the States concerned.<sup>108</sup>

While the pandemic severely impacted the travel and tourism industry in Nigeria, as it did globally, projections indicate a significant recovery and growth in the sector over the next decade.<sup>109</sup> The growth of the travel and tourism sector, while contributing positively to economies, also raises concerns among experts who suggest it might provide opportunities for traveling child sex offenders.<sup>110</sup> Although specific official data on sexual exploitation of children in travel and tourism does not exist, media reports and some statistics on trafficking suggest that instances of exploitation of children in such context are a reality. According to

96 Women’s Consortium of Nigeria. *Trafficking in Nigeria*. Women’s Consortium of Nigeria | committed to the enforcement of Women and children’s rights.

97 *Ibid.*

98 Makinde, O. (2016). *Infant trafficking and baby factories: A new tale of child abuse in Nigeria*. *Child abuse review*, 25(6), 433-443. p.1

99 Salihu, D & Chutiya, M. (2016). *Trends of child trafficking situation in Nigeria and a way forward*. *Research on Humanities and Social Sciences*, 6(16). 2225-484.

100 United States Department of State. (2024). *2024 Trafficking in Persons Report: Nigeria*.

101 BBC News. (2018) *Nigeria “baby factory” raided in Lagos*.

102 *ibid.*

103 Owerri, G. O. (2019). *14 pregnant girls, 4 children rescued from baby factory in Imo*. *The Sun*.

104 Koigi, B. (2020). *The “baby factories” of Nigeria*. *FairPlanet*.

105 Obaji, P. (2020). *Survivors of Nigeria’s “baby factories” share their stories*.

106 Representative from a government agency

107 ECPAT International, Defence for Children and Ministry of Foreign Affairs of the Netherlands. (2016, May). *Offenders on the move: Global study on sexual exploitation of children in travel and tourism*. Bangkok: ECPAT International.

108 United Nations Tourism. (2019). *UNWTO Framework Convention on Tourism Ethics*. UN Doc. A/RES/707(XXII). Art. 5 (3)

109 World Travel & Tourism Council (WTTTC). (2022, June 23). *Travel and tourism jobs in Nigeria to double over the next decade*.

110 ECPAT International (2021). *Summary Paper on Sexual Exploitation of Children in Travel and Tourism*. Bangkok: ECPAT International.al

the 2020 Violence Against Children in Africa report, there were accounts of girls, aged 15 to 18, being recruited and transported either within the same city or between different parts of Nigeria in order to provide sexual entertainment to public and private sector officials on business trips.<sup>111</sup> In a 2021 research on the sexual exploitation of out of home girls in Nigeria's South-Southern region, the study emphasised how girls were vulnerable to exploitation by long-distance travellers, including drivers and commercial motorcyclists.<sup>112</sup> The study also noted cases of girls residing on beaches, facing increased sexual exploitation by both beach workers and tourists, particularly at Ibaka Beach, known for its foreign presence and fishing community.<sup>113</sup>

According to a key informant,<sup>114</sup> the lack of regulations, safeguarding measures and awareness by hospitality staff allow for the sexual exploitation of children to happen within travel and tourism contexts, as hotel staff do not know what to do when a child walks in unaccompanied or with someone who may not be a caregiver/relative. Moreover, there is a notable absence of local businesses adhering to the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism.<sup>115</sup> 'The Code' is a multistakeholder initiative to provide awareness, tools and support to companies in the tourism industry to prevent the sexual exploitation of children.<sup>116</sup>

Child sexual exploitation and abuse can also occur within the context of voluntourism in child-related settings—a practice where unskilled volunteers take on short-term roles such as teaching or caregiving in vulnerable communities. These arrangements can place children at risk due to inadequate vetting and safeguarding measures, potentially allowing travellers with harmful intentions to exploit their access to children and leverage power imbalances to abuse them.<sup>117,118</sup> Given Nigeria's socioeconomic challenges, it is an appealing destination for volunteer work,<sup>119,120</sup> the country may be particularly vulnerable to such risks. However, the current lack of documentation into this issue highlights a critical need for further research to better understand and address potential vulnerabilities.

## CHILD, EARLY AND FORCED MARRIAGE

The Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse define 'child marriage' as "a marriage in which at least one of the parties is a child. It also refers to the act of marrying off children, usually young girls, with or without their consent".<sup>121</sup> Child, early and forced marriage can be understood both as a form of or as a pathway to sexual exploitation.<sup>122</sup>

111 African Child Policy Forum. African Report on VAC.30.

112 Agazue, C. (2021). "Child Witches": Sexual Exploitation and Abuse of Homeless Girls in South-Southern Nigeria. *Dignity: A Journal on Sexual Exploitation and Violence*, 6(1).

113 *Ibid.*

114 Juliet Ohahuru Obiora representative from Action Against Child Sexual Abuse Initiative

115 Nigeria. The Code.

116 The Code. (n.d.). *The Code: About*

117 ECPAT International. (n. d.). *Volunteering Abroad? Make Sure You're Not Putting Children at Risk.*

118 ECPAT International. (2023). *A global call for robust child protection structures in travel and tourism.*

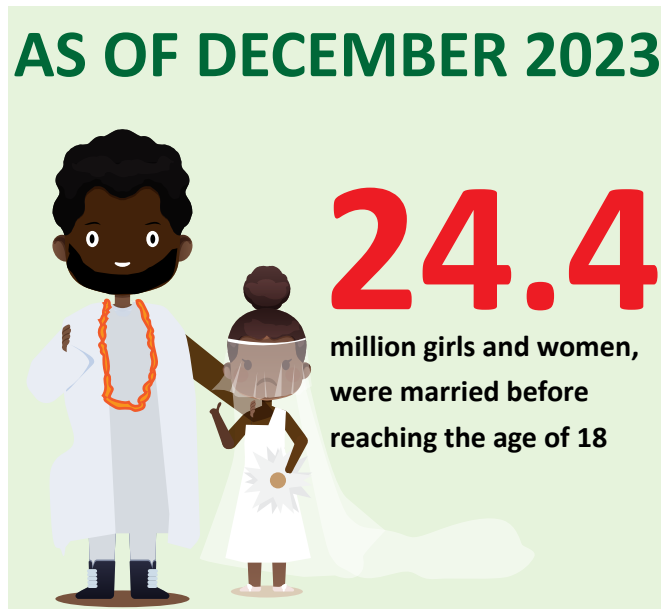
119 Attah, F. M., & Anam, B. E. (2017). *Volunteerism as a strategy for community development in Nigeria. IOSR Journal of Humanities and Social Science*, 22(05), 60-65.

120 Ofoma, C. V., Hangeior, A. A., Maureen, O. I., & Luke, O. P. (2024). *Volunteering in the Achievement of Sustainable Development Goals (SDGs) in Nigeria.* *Gusau International Journal of Management and Social Sciences*, 7(2), 63-82.

121 Interagency Working Group on Sexual Exploitation of Children. (2016, January 28). *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse.* 63. Bangkok: ECPAT International.

122 ECPAT International. (2020). *Summary paper on Child Early and Forced Marriage as a Form of, or Pathway to Sexual Exploitation of Children.* Bangkok: ECPAT International.

In Nigeria, many girls are forced to marry at a young age, making the country home to the largest population of child brides in West and Central Africa.<sup>123</sup> As of December 2023, 24.4 million girls and women, were married before reaching the age of 18.<sup>124</sup> It is noteworthy that spouses are often significantly older than child brides.<sup>125</sup>



Child marriage rates in Nigeria vary widely across regions. Borno State, in particular, stood out with a severe prevalence of child marriage (89.13%), connected to issues like poverty, inadequate nutrition, and childbirth-related problems, all at high rates.<sup>126</sup> Moreover, in several states in Nigeria where Shari'a law is implemented, child marriage is justified on religious and traditional grounds, with adulthood determined by puberty.<sup>127</sup> Girls in rural areas are more than twice as likely to marry as children compared to their counterparts in urban areas.<sup>128</sup> These contexts may indicate a societal acceptance of child marriage as a social and cultural norm

in the region.<sup>129</sup> According to one key informant, the role of community and cultural practices is important whereby there are some parents who believe that these marriages provide safety for the child.<sup>130</sup> In addition, another informant from a non-governmental entity explained that many children are forced into marriage, with some even trafficked for this purpose.<sup>131</sup> According to the informant, the parents often claim these children are travelling for traditional Arabic education, a practice defended by religious and traditional leaders, complicating efforts to curb the trafficking.

Poverty is a significant driving force behind child marriage in Nigeria. Data show that 80% of young women from the poorest families marry in childhood as compared to 10% from the richest.<sup>132</sup> In some situations, girls and young women may be viewed as economic assets for their families. Their value is often tied to their ability to enter marriages that bring economic benefits, such as dowries.<sup>133</sup> A key informant consulted for this report indicated that other factors driving child marriage are the parent's lack of education and awareness of harmful consequences.<sup>134</sup>

School attacks have increased the risks of child marriage. In addition to targeting education broadly, Boko Haram has specifically attacked female students, abducting girls from schools to force them into marriage, to convert them to Islam, and subjecting them to other forms of sexual and gender-based violence. Some survivors, especially those who refused to convert to Islam or 'marry' a fighter, reported being forced to endure demanding labour for insurgents' families and being threatened or beaten when too exhausted to continue.<sup>135,136</sup> Additionally, even when children are not directly impacted by school attacks, scholars and activists

123 Save The Children. (2022). *Report: Girls Living in Conflict Face 20% Higher Risk of Child Marriage*. Save the Children.

124 *Child marriage atlas*. Girls Not Brides.

125 *Ibid*

126 Save the Children Nigeria. (2021). *State of the Nigerian Girl: An incisive diagnosis of child marriage in Nigeria*. 47.

127 Human Rights Watch. (2022). *Nigeria: Child Marriage Violates Girls' Rights*. Human Rights Watch.

128 Save The Children. (2022). *Report: Girls Living in Conflict Face 20% Higher Risk of Child Marriage*. Save the Children.

129 Save the Children Nigeria. (2021). *State of the Nigerian Girl: An incisive diagnosis of child marriage in Nigeria*. 47.

130 Tumininu Oni representative from Lagos State Domestic and Sexual Violence Agency.

131 Kabiru Musa representative from Kebbi Youth Connect Initiative.

132 United Nations Population Fund & United Nations International Children's Emergency Fund (2018). *Child Marriage in West and Central Africa at a Glance*.

133 Save the Children Nigeria. (2021). *State of the Nigerian Girl: An incisive diagnosis of child marriage in Nigeria*. 21.

134 Olabisi Ajayi Kayode representative from Cece Yara Child Advocacy

135 Girls Not Brides. *Child marriage atlas*. Girls Not Brides.

136 Global Coalition to Protect Education from Attack (GCPEA). (2018). *"I will never go back to school": The impact of attacks on education for Nigerian women and girls*.

have widely explored the connection between insecurity and child marriage. They note that during periods of instability, parents may turn to early marriage out of desperation or as a misguided attempt to safeguard their children.<sup>137</sup>

The 2018 Nigeria Demographics and Health Survey revealed that 36% of married women aged 15-49 have endured emotional, sexual, or physical violence from a current or former partner.<sup>138</sup>

Although this data encompasses a wide age range and there is no publicly available data specifically linking child marriage in Nigeria to sexual violence and exploitation, global research suggests a strong correlation between the two. Child brides are reported to be 50% more likely to endure physical or sexual violence from their partners.<sup>139</sup> Instances of violence can occur when a child refuses sexual advances, leading to potential sexual assault, sometimes facilitated by the child's parents.<sup>140</sup> This cycle of violence is further compounded by the lack of access to education for many of these girls leading to financial dependency on their spouses which may increase their vulnerability to ongoing sexual exploitation.<sup>141</sup>

## SEXUAL ABUSE AND EXPLOITATION OF BOYS

Globally, factors associated with debilitating socio-economic conditions, heteronormative beliefs and attitudes, notions of masculinity, family maltreatment, migration, and lack of

awareness on the vulnerabilities for boys to sexual abuse and exploitation are identified as some of the key factors that multiply the risks for sexual exploitation of boys across the world.<sup>142</sup> Despite findings of global research strongly suggesting risks and vulnerabilities for boys to sexual abuse and exploitation, there is still a substantial gap in knowledge and awareness, leading to the exclusion of boy victims from targeted policies and interventions.<sup>143</sup> Key informants highlighted a growing problem of the issue of sexual exploitation of boys.<sup>144</sup> Informants mentioned that there is an increase in cases of sexual extortion of boys (and girls) as well as cases of in-person sexual abuse so severe that it has led to some boys requiring surgery.

In Nigeria, a 2020 study involving 472 male adolescents investigated the prevalence and patterns of child sexual abuse in Ibadan and highlighted the often-overlooked vulnerability of boys to sexual abuse in Nigeria. It found that the overall prevalence of sexual abuse among them was 29%.<sup>145</sup> According to 2021 data of the National Agency for the Prohibition of Trafficking in Persons, 42.2% of the total 244 male trafficking victims fell within the 0-11 age range.<sup>146</sup> In addition, media reported cases of Nigerian boys being trafficked to Europe,<sup>147,148</sup> being promised a chance at a professional football career, with many then becoming victims of exploitation outside the football industry.<sup>149</sup>

While forced and early marriage predominantly affects girls, it also impacts boys. According to the 2021 Multiple Indicator Cluster Survey in Nigeria, 1.6% of Nigerian boys got married before turning 18 years old.<sup>150</sup>

<sup>137</sup> *Ibid.*

<sup>138</sup> Spotlight Initiative - The European Union, United Nations, UNICEF, Federal Ministry of Women Affairs. (2022). *16 Facts about Violence Against Women and Girls in Nigeria for the 16 Days of Activism*. Nigeria Spotlight Initiative. 25.

<sup>139</sup> *Ibid.*

<sup>140</sup> Save the Children Nigeria. (2021). *State of the Nigerian Girl: An incisive diagnosis of child marriage in Nigeria*. 21.

<sup>141</sup> Grace, Ayodele & Arowolo, Grace. (2022). *Preventing and Eliminating Child Marriage in Africa: The Perspectives from Nigeria*. 119. 27-42.

<sup>142</sup> ECPAT International. (2021). *Global Boys Initiative: A global review of existing literature on the sexual exploitation of boys*. Bangkok: ECPAT International.

<sup>143</sup> *Ibid.*

<sup>144</sup> Comfort Alli representative from Street Child Care and Welfare Initiative, Representative from a government agency, Olabisi Ajayi Kayode representative from Cece Yara Child Advocacy, and Juliet Ohahuru Obiora representative from Action Against Child Sexual Abuse Initiative

<sup>145</sup> Fm, B., & Oe, A. (2020). *Prevalence and pattern of child sexual abuse: A cross-sectional study among male secondary school adolescents in Ibadan, Nigeria*.

<sup>146</sup> National Agency for the Prohibition of Trafficking in Persons (2022). *2021 Data Analysis*. 10.

<sup>147</sup> The Guardian Nigeria News. (2021). *Football Trafficking: unmasking the Uzbekistan ring*. The Guardian Nigeria

<sup>148</sup> Olasoji, T. (2019). *African Footballers Stranded around the World with Crushed Dreams*. Al Jazeera,

<sup>149</sup> European Asylum Support Office. (2021). *EASO Nigeria Trafficking in Human Beings Country of Origin Information Report*.

<sup>150</sup> National Bureau of Statistics (NBS) and United Nations Children's Fund (UNICEF). (2022). *Multiple Indicator Cluster Survey 2021, Survey Findings Report*. Abuja, Nigeria: National Bureau of Statistics and United Nations Children's Fund.



Four key informants consulted for this report noted a tendency in the country to give less attention to the sexual exploitation of boys.<sup>151</sup> It remains largely underreported as boys often cannot speak up or report their abuse. An informant from a non-profit organisation highlighted that boys struggle to report due to cultural norms and rigid or harmful ideas of masculinity.<sup>152</sup> Some key informants added that community perceptions around boy victims make it more difficult for the community to understand that sexual exploitation of boys is a reality.

## SEXUAL EXPLOITATION OF CHILDREN IN HUMANITARIAN SETTINGS

Nigeria has been affected by conflict, particularly in North-Eastern Nigeria, which has resulted in a humanitarian crisis, widespread displacement, food insecurity and many victims of violence.<sup>153</sup> The insurgency of Boko Haram, known for its brutal tactics such as abductions of children, rape and the recruitment of children, has had an impact on the prevalence of sexual exploitation of children.<sup>154</sup>

Indeed, it is estimated that approximately 32,000 children were separated due to the Boko Haram insurgency, increasing their vulnerability to exploitation and child marriage.<sup>155</sup> Boko Haram is known for abducting schoolgirls and coercing them into marriage with their soldiers as a form of incentive.<sup>156</sup> There have been numerous reports of Boko Haram committing rape and other forms of sexual violence against children.<sup>157,158</sup> In the context

of this violence, child marriage is often seen by families as a protective strategy. Nigerian families turn to child marriage as a means of shielding girls from kidnapping, sexual assault, unwanted pregnancies out of wedlock and other forms of violence associated with the insurgency.<sup>159,160</sup>

Child recruitment by Boko Haram exposes northeast Nigerian youth to intense recruitment pressures and community stigma due to suspected affiliations. Consequently, the children often face suspicion from community and state forces, heightening their isolation and vulnerability to recruitment. While some voluntarily join Boko Haram, many are abducted and forcibly conscripted.<sup>161</sup> This situation not only alienates children and young people within their communities but also exposes them to further exploitation and abuse. For instance, according to the 2024 US Department of State Trafficking Report, children detained for association with armed groups in Borno State were placed in maximum security prisons with adult inmates who allegedly sexually exploited the children within the prison.<sup>162</sup>

The conflict in the Northeast has allowed recruiters of children for exploitation in prostitution to thrive due to widespread poverty and a lack of sustainable livelihoods.<sup>163</sup> In these tough conditions, children and their families see no other alternative than to engage in such activities to meet their basic needs.<sup>164</sup> According to one key informant,<sup>165</sup> internally displaced children are financially and emotionally vulnerable. An example was given that children have been exploited in exchange for sanitary pads in return for expected sexual favours.

151 Comfort Alli representative from Street Child Care and Welfare Initiative representative from a government agency, Olabisi Ajayi Kayode representative from Cece Yara Child Advocacy, and Juliet Ohahuru Obiora representative from Action Against Child Sexual Abuse Initiative

152 Juliet Ohahuru Obiora representative from Action Against Child Sexual Abuse Initiative

153 WHO. (n. d.). *Nigeria crisis*.

154 Global Centre for the Responsibility to Protect (2023). *Nigeria*.

155 Girls Not Brides. *Child marriage atlas*. Girls Not Brides.

156 *Ibid*.

157 African Partnership to End Violence against Children and African Child Policy Forum. (2021). *Violence against children in africa a report on progress and challenges.pdf (un.org)*.

158 BBC. (2018). *Boko Haram crisis: Amnesty accuses Nigeria troops of rape*.

159 *Ibid*.

160 Arowolo, A. G. (2022). *Preventing and Eliminating Child Marriage in Africa: The Perspectives from Nigeria*. *Journal of Law, Policy and Globalization*, 119. 27-42.

161 O' Connor, R., Betancourt, T. S., & Enelamah, N. V. (2021). *Safeguarding the Lives of Children Affected by Boko Haram: Application of the SAFE Model of Child Protection to a Rights-Based Situation Analysis*. *Health and human rights*, 23(1), 27-41.

162 U.S. Department of State. (2024). *2024 Trafficking in Persons Report: Nigeria*.

163 National Human Rights Commission. *Boy-child and sexual exploitation in Northeast Nigeria*.

164 *Ibid*.

165 Olabisi Ajayi Kayode representative from Cece Yara Child Advocacy

The climate crisis in Nigeria may aggravate the existing vulnerabilities of children. In 2022, Nigeria witnessed its most severe flooding in ten years, impacting roughly 1.9 million children across 34 of its 36 states. According to UNICEF, the floods, alongside other environmental factors such as droughts and desertification contribute to an increase in poverty, migration, and displacement, heightening the risk of sexual exploitation among children.<sup>166</sup> Although not specific to Nigeria, existing literature describes how climate change and a rise

in events like droughts, water shortages, and floods, impact migration, conflicts, poverty, food shortages, and mental health.<sup>167</sup> All factors that in turn escalate various types of violence against children, including child labour, forced marriage, sexual and physical abuse, gender-based violence, neglect, and trafficking.<sup>168</sup>

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166 UNICEF. (2023). *Climate Landscape Analysis for Children in Nigeria: Climate Action Plan 2023–2027*. 17.

167 Nnah-Ogbonda, E., & Jennings, S. (2021). *Exploring the link between climate change and violence against children*. Barnfonden.

168 *Ibid.*

# INTERNATIONAL, REGIONAL AND NATIONAL COMMITMENTS AND LEGISLATIVE FRAMEWORK

Status of ratification of relevant international and regional instruments, reporting to human rights bodies and engagement with the special procedures of the Human Rights Council		
International Instruments		Date of ratification/accession
Convention on the Rights of the Child - 1989		19 April 1991
Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography - 2000		27 September 2010
ILO Convention No. 182 on the Worst Forms of Child Labour - 1999		2 October 2002
UN Convention against Transnational Organized Crime – 2000		28 June 2001
UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and children – 2000 (supplementing the UN Convention against Transnational Organized Crime)		28 June 2001
Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure - 2011		Not Ratified
Regional Instruments		Date of ratification/accession
African Charter on the Rights and the Welfare of the Child - 1999		23 July 2001
African Charter on Human and People’s Rights - 1891		22 June 1983
AU Convention on Cyber Security and Personal Data Protection - 2014		Not Ratified
Kigali Declaration on Child, Early and Forced Marriage - 2015		6 May 2015
Human Rights Bodies	Date of latest submitted report	Comments
Committee on the Rights of the Child (CRC review)	2010 (Report for the next reporting cycle overdue since 18 November 2016)	

Human Rights Bodies	Date of latest submitted report	Comments
Committee on the Rights of the Child (OPSC review)	No report has been submitted since the ratification in 2010	
Human Rights Council – Working Group on the Universal Periodic Review	2024	<p>Key observations related to the sexual exploitation of children included in the final report of the review were:</p> <ul style="list-style-type: none"> <li>» Standardise the age of marriage in all states to eradicate child, early and forced marriage, both in law and in practice.</li> <li>» Allocate sufficient resources for the implementation of the National Action Plan on Human Trafficking in Nigeria for 2022–2026, aimed at preventing and combating trafficking in persons, especially women and children.</li> <li>» Continue its efforts to combat trafficking in persons, female genital mutilation, early and forced marriages and sexual and gender-based violence.<sup>169</sup></li> </ul>

## NATIONAL LEGISLATION

The Constitution of Nigeria provides that governmental policies must ensure that children and young persons are protected from all forms of exploitation, material, and moral neglect.<sup>170</sup> The Government has also enacted several laws to address child sexual exploitation in its different forms, including dedicated Acts on cybercrimes and human trafficking at the federal level.

In 2003, Nigeria also adopted a Child Rights Act to domesticate international instruments such as the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of Children. It covers various aspects related to sexual abuse and exploitation of children and provides a consistent and clear definition of a child as a person below the age of eighteen. As per the Constitution of Nigeria, states must re-enact and pass laws about children and their rights.<sup>171</sup> This process was eventually completed in December 2023 for the

Act, which is now in force throughout the entire country.<sup>172, 173, 174, 175</sup>

<sup>169</sup> Human Rights Council (2024). *Report of the Working Group on the Universal Periodic Review\* Nigeria. A/HRC/56/7.*

<sup>170</sup> Nigeria (1999). *Constitution of the Federal Republic of Nigeria.*

<sup>171</sup> Enemo, I. (2019). *Challenges Still Facing the Domestication and Implementation of Key Provisions of Nigeria's CRA of 2003.*

<sup>172</sup> Rule of Law and Empowerment Initiative, also known as Partners West Africa Nigeria. *Child Rights Act Tracker.*

<sup>173</sup> Plan International (2023). *Plan International welcomes signing of Child Rights Act in Bauchi State.*

<sup>174</sup> United Nations Children's Fund (2022). *Statement by Ms. Cristian Munduate, UNICEF Representative in Nigeria, on the signing of Child Protection Law in Adamawa State.*

<sup>175</sup> Daily Trust (2023). *Child abuse: No culprit will go free, Gombe govt vows; Pilot News (2023). Gombe State Govt Constitutes 38-Man Child Protection Committee.*

Beyond crimes of sexual exploitation, the Act also provides for the protection of the rights of children with respect to child marriage, child betrothal and other forms of sexual abuse; and prohibits sexual intercourse with a child.<sup>176</sup> However, it is important to note that this could lead to the criminalisation of consensual sexual relations between peers, especially given the absence of a “close-in-age” exemption to protect consensual relationships among teenagers. While the Child Rights Act is a step in the right direction to protect children from various forms of sexual exploitation and other abuses, its implementation across states has been fragmented.<sup>177</sup>

Other legal provisions for the protection of children from sexual abuse and exploitation, are also available in the criminal laws of the country. Criminal law in Nigeria can be traced in two different sources, the Criminal Code Act (‘Criminal Code’) and the Penal Code Law (Penal Code), which are applicable to the Southern and Northern states respectively.<sup>178</sup> In total, 12 Northern states also apply Shari’a law in criminal matters, though it applies only to Muslims or to non-Muslims who consent to have their cases heard in Shari’a courts.<sup>179</sup>

According to one key informant,<sup>180</sup> laws in Nigeria are adequate in addressing child sexual exploitation and abuse and there are agencies in place that ensure accountability. However, as reported by some key informants due to Nigeria’s plural legal orders, implementation has been challenging owing to the lack of uniform definitions, offences, and penalties across states and systems.<sup>181,182</sup>

## Exploitation of children in prostitution

The Penal Code does not directly ban all forms of adult sex work in Northern Nigeria, though it states that “*common prostitutes*” behaving in an indecent manner in a public place, or persistently soliciting persons for the purpose of prostitution, are liable to prison sentences. In addition, men “*who practice sodomy as a means of livelihood*” and/or who knowingly live wholly or in part on the earning of “*prostitutes*” are criminalised.<sup>183</sup> In some states where Shari’a law is also applied, sex outside of marriage—and consequently adult sex work—is prohibited under Islamic Zina principles.<sup>184,185</sup>

In the same vein, Southern Nigeria does not explicitly ban adult sex work,<sup>186</sup> though acts such as aiding, abetting, or controlling prostitution, and the solicitation of persons for this purpose are prohibited.<sup>187</sup> The Criminal Code also criminalises the operation or ownership of brothels,<sup>188</sup> as well as same-sex sexual relations.<sup>189</sup> While debates around the legalisation of sex work are a separate argument, it is important to highlight that adult sex work, whether criminalised, decriminalised and/or regulated, has effects on the exploitation of children in prostitution, which frequently occurs adjacent to adult sex work - legal or otherwise.<sup>190</sup>

The Child Rights Act criminalises, with penalties up to 10 years in prison, the buying, selling, hiring or otherwise dealing in children for the purpose of prostitution, sexual labour and for any unlawful or immoral purpose.<sup>191</sup> These provisions are in line with international and regional legal commitments, as they protect all children, regardless of their age or gender.

176 Nigeria (2003). *Child Rights Act*. Section 31.

177 Enemo, I. (2021). *Challenges Still Facing the Domestication and Implementation of Key Provisions of Nigeria’s CRA of 2003*. *Nordic Journal of Human Rights*, 39(3), 358-372.

178 Owoade, M. A. (1989). *The Military and the Criminal Law in Nigeria*. *Journal of African Law*, 33(2), 135-148.

179 United States Commission on International Religious Freedom (2019). *Shari’ah Criminal Law in Northern Nigeria: Implementation of Expanded Shari’ah Penal and Criminal Procedure Codes in Kano, Sokoto, and Zamfara States, 2017–2019*. 9.

180 Juliet Ohahuru Obiora from Action Against Child Sexual Abuse Initiative.

181 Efoanwan Anametemfiok, Federal Ministry of Education.

182 Kabiru Musa representative from Kebbi Youth Connect Initiative.

183 Nigeria (1960). *The Penal Code*. Sections 405 to 408.

184 Charmaine Pereira (n. d.). *Zina and transgressive heterosexuality in northern Nigeria*.

185 Global Network of Sex Work Projects (n. d.). *Nigeria*.

186 Salihu, H. A., & Fawole, O. A. (2020). *Police Crackdowns, Human Rights Abuses, and Sex Work Industry in Nigeria: Evidence From an Empirical Investigation*. *International Criminal Justice Review*, 31(1), 40-58.

187 Nigeria (1990). *The Criminal Code*. Sections 249, 250.

188 Nigeria. (1990). *Criminal Code Act*. Article 225B.

189 Nigeria. (1990). *Criminal Code Act*. Article 214.

190 ECPAT International (2020). *Summary Paper on Sexual Exploitation of Children in Prostitution*.

191 Nigeria (2003). *Child Rights Act*. Section 30.

The Act also gives child development officers and law enforcement personnel power to bring a child before a court if they have reasonable grounds to believe that the child frequents the company of a “reputed prostitute or is residing in the house used by a prostitute for the purpose of prostitution”.<sup>192</sup> As previously mentioned, sexual intercourse with children can be punished with life in prison under the Act,<sup>193</sup> which also covers cases where the victim is exploited in prostitution.

In the North, the Penal Code states that anyone who buys, sells, hires, lets to hire, or obtains possession of any person under 18 for the purpose of prostitution shall be liable to up to ten years’ imprisonment.<sup>194</sup> It is therefore aligned with the Child Rights Act. However, in the South, the Criminal Code fails to protect all children. Indeed, provisions regarding causing or encouraging the prostitution of a girl under one’s custody, charge, or care apply only to girls under 16 and wrongly imply that offenders can only be men,<sup>195</sup> despite existing global evidence recognising the role of women in the sexual exploitation of children as perpetrators and facilitators.<sup>196</sup> Indeed, a key informant noted how there are also cases of child sexual abuse perpetrated by females which often go underreported.<sup>197</sup>

Although the provisions on procurement do cover offenders of both genders and girl victims of any age, they again exclude boys.<sup>198</sup> Penalties for both offences are minimal, carrying a maximum sentence of only two years.<sup>199</sup> Lastly, the prohibition against allowing a child in one’s custody, charge, or care to reside in or frequent a brothel applies only to children aged 4 to 16.<sup>200</sup>

The discrepancy between the Child Rights Act and the Criminal Code creates ambiguity regarding which legal standard will be applied in Southern States, potentially allowing offenders to escape stricter penalties and undermining consistent enforcement of child protection laws. Alarming, neither

the Criminal Code nor the Penal Code includes specific provisions to protect children exploited in prostitution from being prosecuted as offenders. As a result, children may face legal action for acts that are a direct consequence of their exploitation, effectively criminalising the victims instead of addressing their abuse. This is particularly troubling in the case of children exploited by offenders of the same sex, as both codes criminalise same-sex sexual relations, increasing the risk of further victimisation through legal prosecution.<sup>201,202</sup>

### Technology-facilitated child sexual exploitation and abuse

Nigeria has enacted specific provisions on technology-facilitated child sexual exploitation and abuse through the 2015 Cybercrimes (Prohibition, Prevention, etc.) Act. The Cybercrimes Act defines child sexual abuse materials as materials that visually depicts a child, a person appearing to be a child, or a realistic image of a child engaged in sexually explicit conduct,<sup>203</sup> which includes sexual intercourse, masturbation, or the lascivious exhibition of the genital or the pubic area of a child.<sup>204</sup>

This definition is not fully compliant with the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, as it does not include non-visual materials. However, it seems broad enough to cover live streaming of child sexual abuse, as well as AI-generated materials.

The Cybercrimes Act uses the inadequate and outdated term of ‘child pornography’. Although still widely used in many legal systems, this term is misleading because it minimises the seriousness of the corresponding offences. It suggests that recordings/images of child sexual abuse are only a form of pornography, and not recordings/images of serious crimes. The term child sexual abuse material should therefore be used instead, as it is in the present analysis.

192 Nigeria (2003). *Child Rights Act*. Section 50.

193 Nigeria (2003). *Child Rights Act*. Section 31.

194 Nigeria (1960). *The Penal Code*. Section 278.

195 Nigeria (1990). *The Criminal Code*. Section 222A.

196 See e.g. Augarde, S. and Rydon-Grange, M. (2022). *Female perpetrators of child sexual abuse: A review of the clinical and empirical literature – A 20-year update*. *Aggression and Violent Behavior*. Volume 62.

197 Olabisi Ajayi Kayode representative from Cece Yara Child Advocacy

198 Nigeria (1990). *The Criminal Code*. Section 223.

199 Nigeria (1990). *The Criminal Code*. Sections 222A, 223.

200 Nigeria (1990). *The Criminal Code*. Section 222B.

201 Nigeria. (1990). *Criminal Code Act*. Article 214.

202 Nigeria (1960). *The Penal Code*. Section 284.

203 Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015*. Section 23(4).

204 Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015*. Section 58.

Under the Cybercrimes Act, any person who intentionally uses any computer system or network in or for producing, offering, making available, distributing, transmitting, procuring for oneself or for another person, and possessing child sexual abuse material faces imprisonment between 5-10 years and a fine.<sup>205</sup> It is noteworthy that the legislation criminalises mere possession without the intention to distribute. Additionally, any person who knowingly makes or sends other pornographic images to another computer is liable to 1 year in prison and a fine.<sup>206</sup> Concerningly, the Act does not criminalise the mere access to child sexual abuse material and, therefore, potentially the viewers of live-streamed child sexual abuse.

Welcomingly, the Cybercrimes Act criminalises the acts of intentionally proposing, grooming, or soliciting through any computer system or network to meet a child for the purpose of engaging in sexual activities.<sup>207</sup> Offenders face a maximum of 10 years in prison, or up to 15 years if they use coercion or hold a position of trust, authority, or influence.<sup>208</sup> The Act also imposes a 15-year prison sentence for online grooming with intent to meet a child for the purpose of recruiting, inducing, coercing, exposing, or causing them to participate in sexual performances, as well as for receiving profits from such performances or otherwise exploiting the child for these purposes.<sup>209</sup>

Concerningly, the Act does not consider scenarios where the grooming could have taken place before the expression of intent, without the expression of intent, and without the offender and victim meeting in person. Therefore, it should be brought in line with the online grooming offence set out in the Lanzarote Convention<sup>210</sup> and subsequent guidance by the Lanzarote Committee that grooming-related sexual abuse can occur online.<sup>211</sup> Indeed, the Cybercrimes Act should specifically criminalise the process of building trust between offenders and children, and situations where the abuse does happen online, for example, if a child is coerced,

manipulated or convinced to send sexual content.<sup>212</sup> The Cybercrimes Act further punishes whoever intentionally sends a message that is pornographic or of an indecent, obscene or menacing character, by means of a computer system or network. Offenders are liable to 3 years in prison and/or a fine.<sup>213</sup> The Act does not specifically cover sexual extortion of children, but punishes, with up to 5 years in prison and/or a fine, the act of transmitting any communication that contains a threat to harm the reputation of, or extort from the addressee any money or other thing of value through a computer system or network.<sup>214</sup> Although this may cover blackmail involving threats to disseminate sexual material depicting child victims obtained by offenders, a specific provision would be preferable to address such cases more directly.

The Cybercrimes Act does not impose obligations on service providers to block access to child sexual abuse materials or to implement notice and takedown mechanisms for users. Service providers are obligated to retain traffic data and subscriber information for two years.<sup>215</sup> Lastly, the Act states that service providers shall, at the request of law enforcement or on their own initiative, assist in identifying, apprehending, and prosecuting those who commit offenses under the Act. Although failure to comply technically exposes them to a fine of NGN 10 million (USD 6,170 as of October 2024),<sup>216</sup> the use of “or” suggests that they cannot be held responsible for not being proactive in that regard.

### *Sale and trafficking of children for sexual purposes*

The Trafficking Act criminalises all forms of child trafficking, including the recruitment, transportation, transfer, harbouring, and reception of children for the purpose of exploitation. The offence is constituted even without the use of means such as coercion, deception, fraud, abuse of power, payments, etc.,<sup>217</sup> in line with the Protocol to

<sup>205</sup> Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015. Section 23.*

<sup>206</sup> *Ibid.*

<sup>207</sup> *Ibid.*

<sup>208</sup> *Ibid.*

<sup>209</sup> *Ibid.*

<sup>210</sup> Council of Europe (2007). *The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse.*

<sup>211</sup> Council of Europe (2015). *Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Opinion on Article 23 of the Lanzarote Convention and its Explanatory Note: Solicitation of Children for Sexual Purposes.*

<sup>212</sup> *Ibid.*

<sup>213</sup> Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015. Section 24.*

<sup>214</sup> Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015. Section 24.*

<sup>215</sup> Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015. Section 38.*

<sup>216</sup> Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015. Section 40.*

<sup>217</sup> Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act. Section 13.*

Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.<sup>218</sup>

The Act establishes various offences related to child trafficking for sexual purposes, along with sentencing guidelines targeting all the persons involved, and not just those who directly exploit children. It also covers situations where children are trafficked both within the country or across its borders, marking a significant achievement. Notably, the Act imposes seven years' imprisonment and a fine of no less than NGN 1 million (USD 617 as of October 2024) for procuring or recruiting a child for prostitution or other forms of sexual exploitation, both within Nigeria and abroad. In addition, it criminalises procuring, recruiting, using, or offering a child to produce child sexual abuse material or "pornographic performances," and harbouring a child in a brothel. Offenders face the same penalties as in cases of procurement and recruitment, with an additional year if they administered drugs to the victim.<sup>219</sup>

Although the Child Rights Act criminalises the sale of children, it appears to require intent to exploit them, such as in prostitution, begging, or hawking.<sup>220</sup> The existence of an exploitative purpose is not required when it comes to the sale of children according to the OPSC.<sup>221</sup> Furthermore, the Nigerian provision lacks a clear definition of what constitutes the sale of a child and does not explicitly specify the need for a commercial transaction to characterise the act as such. Offenders face ten years in prison.<sup>222</sup> The sale of children is also criminalised under the Penal Code, but it requires intent or knowledge of the likelihood that the child will be exploited in prostitution or used for unlawful purposes.<sup>223</sup> Like the Child Rights Act, the Penal Code does not define the sale of children and imposes the same penalty. The Criminal Code does not address this crime.

## *Sexual exploitation of children in travel and tourism*

Nigeria is one of the first countries to accede to the United Nations Tourism' Framework Convention on Tourism Ethics.<sup>224</sup> However, the Framework Convention will not enter into force until ratified/acceded by 10 countries.<sup>225</sup> Although Nigeria, has yet to enact specific legislation on the sexual exploitation of children in travel and tourism, provisions on human and child trafficking can be used to prosecute offenders and facilitators in this context.

Indeed, the Trafficking Act punishes any person who organises, facilitates, or promotes foreign travels which promote prostitution or other forms of exploitation, or encourages such activity, with prison terms of not less than 7 years and a fine.<sup>226</sup> In addition, companies can be held responsible for offences under the Act, including procuring or recruiting a child for prostitution or other forms of sexual exploitation, if the offence is committed with the instigation, connivance, or attributable neglect of managers or acting managers. Penalties include a fine of NGN 10 million (USD 6,170 as of October 2024) for the company, without prejudice to the penalties incurred by the agent responsible. Courts can also order the company's liquidation, with its assets and properties transferred to the Victims of Trafficking Trust Fund.<sup>227</sup>

The Trafficking Act further states that airlines, sea vessel operators, commercial carriers, tour operators and travel agents are under obligation not to aid, abet, facilitate, and promote among others, trafficking in persons, and exploitation in tourism.<sup>228</sup>

218 UN General Assembly (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Article 3.

219 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Sections 16, 17.

220 Nigeria (2003). *Child Rights Act*. Section 30.

221 OPSC, Article 2 (b).

222 Nigeria (2003). *Child Rights Act*. Section 30.

223 Nigeria (1960). *The Penal Code*. Section 278.

224 UN Tourism. (2019). *The Framework Convention on Tourism Ethics and its Optional Protocol*.

225 As of 9 October 2024, it had only been acceded by four states.

226 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Section 18.

227 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Section 31.

228 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Section 35.



They must also inform their staff and clients of this obligation, include it in their conditions of service, and require their suppliers in destination countries to comply with it by contract.<sup>229</sup> Lastly, they must refrain from utilising messages on printed materials, video or the Internet that could suggest or allude to behaviour incompatible with the objectives of the Trafficking Act.<sup>230</sup> Failure to comply with these obligations incurs a fine of NGN 10 million (USD 6,170 as of October 2024).<sup>231</sup>

While the Trafficking Act imposes certain obligations on the travel and tourism industry, specific legislation and provisions for the licensing or regulation of travel and tourism industry, including tour operators, would provide a stronger framework by directly targeting and defining offences related to child sexual exploitation in travel and tourism. Such laws and regulations would enable more precise enforcement, improve accountability, and establish clear preventative measures, making it easier to identify, address and reduce this form of child exploitation.

In addition, the lack of regulation of the issue of voluntourism makes it difficult to curb trends where unregulated access to children is misused to abuse them under the guise of volunteering or support activities. Placements for professional volunteers should be initiated and determined by host government institutions and organisations, based on the pre-identified structural needs.<sup>232</sup> Only professional volunteering should be organised with children. Such skilled professional volunteering, trained to work with children, should be clearly distinguished from unregulated and unskilled voluntourism. Imposing clear obligations and oversight mechanisms for organisations hosting volunteers would enhance accountability and help reduce such risks.<sup>233</sup> Measures should include thorough vetting and criminal background checks for

all volunteers, mandatory child protection training prior to deployment, and the implementation of robust reporting mechanisms and safeguarding policies within host communities.<sup>234</sup>

### *Child, early and forced marriages*

The Child Rights Act explicitly prohibits the marriage and betrothal of individuals under 18, with no exceptions, declaring such unions null and void.<sup>235</sup> Whoever marries or betroths a child, to whom a child is betrothed, or who promotes the marriage of a child faces up to five years in prison and/or a fine of NGN 500,000 (USD 308 as of October 2024).<sup>236</sup> However, marriages under Islamic and customary law fall outside the legislative powers of the National Assembly, and the Constitution allows Muslims to have questions of Islamic Personal Law, including marriage, determined by a Shari'a Court in accordance with Shari'a Law. The latter, based on interpretation, does not set a minimum age for marriage but rather relies on subjective interpretations of adulthood, such as puberty.<sup>237</sup> As a result, some Northern States where Shari'a law is followed, such as Kaduna, Gombe, Borno, Katsina, and Yobe, have introduced exceptions to the ban on child marriage on religious and maturity grounds.<sup>238</sup>

A controversial provision in the Constitution states that women shall be considered of full age once they are married,<sup>239</sup> and has been identified as another legal obstacle to eradicating child marriage in the country.<sup>240</sup> The persistence of loopholes permitting child marriage is particularly concerning considering the absence of legal provisions against marital rape. Indeed, the Criminal Code provides that unlawful carnal knowledge, the term used to criminalise rape, does not apply to sexual relations between spouses;<sup>241</sup> while the Penal Code states that sexual intercourse by a man and with his wife is not rape if she has attained puberty.<sup>242</sup> Hence, married children are de facto left without legal protections against sexual violence from their spouse.

229 *Ibid.*

230 *Ibid.*

231 *Ibid.*

232 ECPAT International. (n.d.). *Global events in New York*.

233 *Ibid.*

234 *Ibid.*

235 Nigeria (2003). *Child Rights Act. Sections 21, 22.*

236 *Ibid, Section 23.*

237 Save the Children (2021). *State of the Nigerian Girl Report - An incisive diagnosis of Child Marriage in Nigeria. 25.*

238 *Ibid.*

239 Nigeria (1999). *Constitution. Section 29.*

240 Fayokun, K.O (2015). *Legality of child marriage in Nigeria and inhibitions against realizations of education rights. 7.*

241 Nigeria (1990) *The Criminal Code. Section 357.*

242 Nigeria (1960). *The Penal Code. Section 282 (2).*

### ***Extraterritorial jurisdiction and extradition law***

The law grants the Federal High Court jurisdiction to try offences under the Cybercrimes Act, which covers several manifestations of technology-facilitated sexual abuse and exploitation of children, if committed outside the country against a citizen or resident or Nigeria (passive extraterritorial jurisdiction) or by a citizen or resident (active extraterritorial jurisdiction). However, in the second case, the offence must also be criminalised in the country where it was committed (principle of double criminality). Double criminality, when required in cases of sexual exploitation of children, can make extraterritoriality and extradition inapplicable in practice, if the offences are not criminalised in one of the countries or qualification differs from country to country, allowing perpetrators to escape prosecution.<sup>243</sup> In addition, anyone who committed an offence under the Cybercrimes Act abroad can be tried in Nigeria if they are found there and not extradited.<sup>244</sup> Offences under the Act are also explicitly defined as extraditable,<sup>245</sup> seemingly without further conditions.

Concerningly, the Child Rights Act, which covers child marriage, and some offences related to exploitation of children in prostitution, does not contain provisions on extraterritorial jurisdiction and extradition. The Trafficking Act also fails to address extraterritorial jurisdiction. However, it establishes that trafficking offences are crimes for which extradition may be requested, granted, or obtained.<sup>246</sup> Amending both these acts to incorporate clear provisions on extraterritorial jurisdiction and extradition, in line with the Cybercrimes Act, is therefore essential to ensure comprehensive protection for children against sexual exploitation, regardless of where offences occur. This would close critical legal gaps, enable consistent prosecution of offenders across borders, and align Nigeria's framework with international standards, ultimately reducing opportunities for perpetrators to evade justice.

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<sup>243</sup> ECPAT International. (2022). *Extraterritorial jurisdiction and extradition legislation as tools to fight the sexual exploitation of children*.

<sup>244</sup> Nigeria (2015). *The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015. Section 50*.

<sup>245</sup> *Ibid.*

<sup>246</sup> Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act. Section 73*.

# NATIONAL RESPONSE TO THE SEXUAL EXPLOITATION OF CHILDREN

## COORDINATION AND COOPERATION

Coordinating body/ National Plan/ International Agreement	Relevant activities related to the sexual exploitation of children
<b>Coordinating bodies</b>	
Department of Child Development, Ministry of Women Affairs and Social Development	The Child Development Department is a department of the Federal Ministry of Women Affairs and Social Development, focusing on programmes related to children. It is the main body in Nigeria responsible for the protection of child rights. <sup>247</sup>
Domestic and Sexual Violence Agency	The Domestic and Sexual Violence Agency, under the Lagos state Government, is dedicated to eradicating sexual and gender-based violence by providing sensitive services to victims and promoting healthy relationships in Lagos State and Nigeria. <sup>248</sup>
The National Agency for the Prohibition of Trafficking in Persons	The Agency was established by the Trafficking Act of 2003. It represents the Nigerian Federal Government's effort to combat human trafficking. <sup>249</sup>
Cybersecurity Response Team	A Cybersecurity Response Team was formed by the National Agency for the Prohibition of Trafficking in Persons in 2023 as a response to the growing problem of online sexual exploitation and sexual extortion in the country. <sup>250</sup>
Nigerian Communications Commission	The Commission chaired the Committee that has been tasked with enhancing current efforts in Child Online Protection. Their goal is to create a clear and effective strategy that aligns with international standards and to improve the systems already in place for protecting children. <sup>251</sup>
Technical Working Group on Ending Child Marriage	In late 2015, the Ministry of Women Affairs and Social Development established and headed a Technical Working Group focused on ending child marriage. This group's goal is to create and execute a comprehensive strategy across multiple sectors to end child marriage in Nigeria. Its tasks include raising awareness, promoting changes in behaviour, and overseeing the assessment and implementation of relevant laws and policies. <sup>252</sup>

247 Federal Ministry of Women Affairs. (n. d.). *Child Development*.

248 Domestic and Sexual Violence Agency. (n.d.). *Who we are*. Lagos State Government.

249 National Agency for the Prohibition of Trafficking in Persons. (n.d.). *About us*.

250 National Agency for the Prohibition of Trafficking in Persons. (2023). *NAPTIP Goes Tough with Online Sexual Exploitation of Nigerians; Sets Up Cybersecurity Response Team*. National Agency for the Prohibition of Trafficking in Persons.

251 Nigerian Communications Commission. (n. d.). *Child Online Protection*.

252 Arowolo, G. (2022). *Preventing and Eliminating Child Marriage in Africa: The Perspectives from Nigeria*. *Journal of Law, Policy and Globalization*, 199, 27-42.

National Action Plans	
National Action Plan for the Elimination of Child Labour in Nigeria (2021-2025)	The 2021-2025 National Action Plan in Nigeria builds upon the earlier phase from 2013-2017 and is designed to eliminate the most severe forms of child labour by 2025 and all child labour by 2030. <sup>253</sup>
The National Cybersecurity Policy and Strategy (2021)	The National Cybersecurity Policy's main goals are to identify and eliminate child sexual abuse material from websites, prevent children's access to harmful content, and educate them about online safety. <sup>254</sup>
National Child Online Protection Policy and Strategy (2023)	This policy is designed to safeguard children from online content that could harm their innocence and morals. <sup>255,256</sup>
National Action Plan on Human Trafficking in Nigeria (2022 - 2026)	The plan emphasises robust coordination, execution, and evaluation methods across five key themes: protection, prevention, legal action, law enforcement and justice access, collaborative coordination and digital integration, as well as research, data collection, statistics, monitoring, and evaluation. <sup>257</sup> It aims to develop programmes targeting the abuse and exploitation of children. Activities include tackling cultural barriers, supporting biometric registers for children in orphanages or up for adoption, and conducting community sensitisation programmes for both in-school and out-of-school youth. <sup>258</sup>
National Strategy to End Child Marriage in Nigeria 2016–2021 (being revised as of October 2024)	This strategy, introduced by Nigeria's Ministry of Women Affairs and Social Development, comprises the theoretical frameworks utilised in comprehending the factors behind child marriage, a situational analysis, primary strategies identified to combat child marriage and gender inequality, along with a monitoring framework. <sup>259</sup> The National Strategy to End Child Marriage in Nigeria is being revised at the time of writing of this report, alongside the development of a new cost-effective plan. <sup>260</sup>
Civil Society Networks	
The National Coalition on Ending Child Marriage in Nigeria	Established in December 2015, the National Coalition on Ending Child Marriage in Nigeria, consisting of 73 civil society organisations, operates across six geopolitical zones. Coalition members work with schools, communities, and religious leaders to challenge norms and practices that lead to child marriage. <sup>261</sup>
The Network of Civil Society Organisations against Child Trafficking, Abuse, and Labour	This network is an alliance of non-governmental organisations, civil society organisations, and community-based organisations dedicated to combating human trafficking, child abuse, child labour, irregular migration, and other related issues. <sup>262</sup>

253 Federal Ministry of Labour and Employment, Nigeria. (2022). *National action plan for the elimination of child labour and its worst forms 2021-2025*.

254 Federal Republic of Nigeria. (2021). *National Cybersecurity Policy and Strategy 2021*.

255 Kanu, P.. (2023). *Cabinet approves Child Online Protection Policy*. Voice of Nigeria.

256 In the course of writing this report it was not possible to retrieve a full copy of this policy for a full review of its content.

257 National Agency for the Prohibition of Trafficking in Persons. (2022). *NAPTIP National Action Plan on Human Trafficking in Nigeria: 2022 – 2026*.

258 National Agency for the Prohibition of Trafficking in Persons. (n.d.). *About Us*.

259 Federal Ministry of Women Affairs and Social Development. (2016). *National Strategy to End Child Marriage in Nigeria. 2016-2021*.

260 UNICEF Nigeria. (2024). *Nigeria takes bold steps to end child marriage and protect the rights of children*. UNICEF.

261 Girls Not Brides. (2023). *Gender-Transformative Collective Action to Address Child Marriage and Advance Girls' Rights*. Girls Not Brides.

262 A-Tipsom. (n. d.). *NACTAL*.

As shown above, various entities in Nigeria, including government departments, national agencies, and civil society networks, are actively working towards the protection of children's rights, combating the sale and trafficking of children for sexual purposes, and ending child marriage.<sup>263</sup>

The Nigerian National Agency for the Prohibition of Trafficking in Persons has taken steps to enhance its effectiveness through multi-sectoral collaboration.<sup>264</sup> One example of these efforts is its engagement with the private sector, for instance, the National Agency collaborated with Meta to the introduction of AMBER Alert in Nigeria in 2022.<sup>265</sup> This initiative sends alerts to Facebook and Instagram users within a 160 km radius of the child's last known location, allowing them to share information and contact authorities to help find abducted children quickly.<sup>266</sup>

Although there is evidence of government-led coordination and collaboration, and national action plans addressing the sexual exploitation of children, there is a predominant emphasis on combating child trafficking and child marriage, with limited targeted efforts addressing the exploitation of children in prostitution, technology-facilitated child sexual exploitation and abuse, and sexual exploitation of children in travel and tourism. The Nigeria's National Human Rights Commission has pointed out that the response to the sexual exploitation of children lacks coordination and heavily relies on referrals for specific services, a significant challenge lies in the distribution of resources and authority.<sup>267</sup> Organisations that are well-funded lack the legal mandate to directly address these issues, whereas those with the legal authority to act are often underfunded. This leads to an ineffective cycle of responses, highlighting the need for a coordinated approach that combines legal authority and funding to take decisive action.<sup>268</sup>

Although the national action plans mentioned in the table above include specific actions to address various issues, as of October 2024, no information

has been found regarding the progress, monitoring and evaluation of these plans.

## PREVENTION MEASURES, AWARENESS-RAISING AND EDUCATION

The Government of Nigeria, in cooperation with local and international non-governmental organisations, has implemented actions to raise awareness of sexual exploitation of children. For example, a key informant from UNICEF,<sup>269</sup> explained that they are working jointly with the Government to prevent child sexual exploitation and abuse through awareness campaigns and training programmes for teachers, law enforcement and community leaders that provide services for victims. UNICEF has also supported capacity-building programmes, sexual assault referral centres, training social workers and advocating for child safeguarding policies and helplines/hotlines.

In addition, the National Agency for the Prohibition of Trafficking in Persons leads awareness campaigns and educational programmes in Nigeria across various states, targeting schools and religious groups.<sup>270</sup> Additionally, the Agency fosters collaboration and information sharing. In 2022, it organised a boot camp for members of State Task Forces on Human Trafficking from 9 states aimed to facilitate peer-to-peer learning among all 21 state task forces, National Agency for the Prohibition of Trafficking in Persons leadership, civil society, and international partners to enhance anti-trafficking efforts.<sup>271</sup> According to the Director General of the Agency the boot camps led to an increase in the involvement of law enforcement agencies in investigating and prosecuting cases.<sup>272</sup>

The Training and Manpower Development Department of the National Agency also develops

263 The Government of the Federal Republic of Nigeria. (2020). *Nigeria. Integration of the SDGs into National Development Planning: A Second Voluntary National Review*. Office of the Senior Special Assistant to the President on SDGs (OSSAP-SDGs).

264 ECPAT International. (n.d). *Executive Summary- Nigeria*.

265 National Agency for the Prohibition of Trafficking in Persons. (n.d.). *About Us*.

266 *Ibid*.

267 National Human Rights Commission. *Boy-child and sexual exploitation in Northeast Nigeria*.

268 *Ibid*.

269 Denis Onoise representative from UNICEF

270 United States Department of State. (2024). *2024 Trafficking in Persons Report: Nigeria*.

271 Vincent, A. (2022). *NAPTIP, Development Partners and Stakeholders Re-Strategize to Tackle Human Trafficking as Boot Camp for Members of State Task Forces Kicks Off in Abuja*. National Agency for the Prohibition of Trafficking in Persons.

272 Abeku, T. (2023). *UNODC, NAPTIP launches best practices compendium on combating human trafficking*. The Guardian Nigeria.

and provides training activities internally - across different departments and units- and externally - overseeing technical training support from international organisations and foreign missions.<sup>273,274</sup>

With regards to technology-facilitated child sexual exploitation and abuse, various social media and educational programmes on child online protection, led by the Nigerian Communications Commission, have taken place since 2020.<sup>275,276</sup>

Civil society organisations play a crucial role in raising awareness on child sexual abuse and exploitation. In terms of prevention and protection, Action Against Child Sexual Abuse Initiative utilises communication technology to combat sexual violence through prevention and awareness programmes. Their Education for Prevention Program educates teachers on identifying and addressing child sexual abuse. They have established safeguarding systems in schools and produced culturally sensitive educational materials for children. In January 2024, they launched an INHOPE accredited hotline to report harmful online content, preventing the re-victimisation of children by ensuring the removal of inappropriate photos and videos from social media.<sup>277</sup>

The Cece Yara Foundation in Abuja focuses on empowering community stakeholders to establish robust protection against child abuse and gender-based violence.<sup>278</sup> Key activities include raising awareness of child sexual exploitation and providing capacity-building training for teachers and caregivers on child protection and safety.<sup>279</sup> In 2023, the foundation successfully trained over 400 teachers.<sup>280</sup> Moreover, UNICEF conducted several training sessions for law enforcement on issues related to sexual violence, focusing on preventing abuse and ensuring the protection of children in detention.<sup>281</sup>

They also supported the Lagos state government in developing the Lagos State Child Safeguarding Policy, which mandates that every school and individual working with children implement measures to protect them from sexual, emotional, and physical abuse.

Additionally, the Spotlight Initiative in Nigeria plays a significant role in empowering adolescents through peer-to-peer education. This initiative focuses on raising awareness about the risks associated with early marriage and has successfully reached over 7,300 adolescents in six states.<sup>282</sup> Adolescents received training to become peer educators. They have led small group sessions using a manual, creating an environment where peers can share knowledge and learn from each other.<sup>283</sup>

## CHILD PROTECTION, ACCESS TO JUSTICE AND RIGHT TO REMEDIES

### *National complaint mechanisms*

The Criminal Procedure Act governs the procedures and processes relating to complaints for all criminal offences in Southern Nigeria, including those related to the sexual exploitation of children. Any person has the right to file a complaint, unless specific legislation restricts this right to a certain group of persons.<sup>284</sup> Moreover, any police officer may make a complaint in case of an assault even though the aggrieved party declines to do so.<sup>285</sup> The Act does not mandate complaints to be in writing or under an oath.<sup>286</sup> There is nothing in the Act which places a duty on public prosecutors to initiate investigations on the receipt of information.<sup>287</sup> Under the Criminal Procedure Code (Southern Nigeria), complaints can be filled orally with police officers, who must

<sup>273</sup> *Ibid.*

<sup>274</sup> National Agency for the Prohibition of Trafficking in Persons. (n.d.). *Training and Manpower Development Department.*

<sup>275</sup> Nigerian Communications Commission. (2022).

<sup>276</sup> *Ibid.*

<sup>277</sup> INHOPE (n.d.) *Welcoming ACSAI Nigeria.*

<sup>278</sup> Sanya, O. (2024). *Stop child sexual abuse in Nigeria: Project reports.* GlobalGiving.

<sup>279</sup> *Ibid.*

<sup>280</sup> *Ibid.*

<sup>281</sup> Denis Onoise representative from UNICEF

<sup>282</sup> Owoicho, J. (2022). *Peer education: Ending the cycle of violence in Nigeria.* Spotlight Initiative.

<sup>283</sup> *Ibid.*

<sup>284</sup> Nigeria (1990). *Criminal Procedure Act. Section 59.*

<sup>285</sup> Nigeria (1990). *Criminal Procedure Act. Section 59.*

<sup>286</sup> Nigeria (1990). *Criminal Procedure Act. Section 60.*

<sup>287</sup> Nigeria (1990). *Criminal Procedure Act.*

then submit information in writing to the judicial authorities.<sup>288</sup> Individuals and attorneys can submit information about potential offences directly to courts, with attorneys providing complaints in writing.<sup>289</sup>

Under the Trafficking Act, an officer of the National Agency for the Prohibition of Trafficking in Persons or a duly authorised law enforcement officer may apply, in the interest of an outside party to the Court, for the issuance of a warrant to conduct an investigation.<sup>290</sup> Additionally, the Agency and law enforcement officers are granted wide powers to undertake investigation if there is reason to believe that the commission of an offence under the Act is taking place.<sup>291</sup> The Agency operates a toll-free helpline through which people can report cases of child trafficking and abuse. Its Director General reported that they received 1,100 reports during the ten months of 2022 involving severe physical harm inflicted on children by their parents or guardians.<sup>292</sup> However, more specific data on cases of trafficking and sexual exploitation of children reported to the helpline is not available.

The Nigerian Police Force has in place Family Support Units that deal with child abuse cases. They have established the Gender-Desk Unit and Juvenile Welfare Centres as units to deal with cases related to child abuse, such as child trafficking, violence against children, and other forms of mistreatment.<sup>293</sup> In addition, the British Council in Nigeria has helped establish Juvenile, Women, and Children police units across the country.<sup>294</sup> However, despite the existence of these units, there are concerns about the effectiveness of enforcement practices in protecting vulnerable members of society.<sup>295</sup>

The Child Rights Act provides that every state government shall establish a procedure for considering any complaint made to it by a child in need.<sup>296</sup> Additionally, States have set up departments dedicated to issues concerning child sexual abuse and other forms of exploitation. For instance, the state of Lagos has set up a Domestic and Sexual Violence Response Team.<sup>297</sup> People seeking to report instances of sexual abuse can dial a hotline number or send an e-mail, and there are trained police officers that deal with reports of sexual abuse. In addition, according to a key informant,<sup>298</sup> there are a few organisations that focus on sexual violence in Lagos, including the Mirabel Center. This centre is supported by UNICEF to respond to cases of sexual violence including conducting forensic investigations, which involve doctors and social workers. This evidence is later used in court to support cases whereby, as a result, some individuals have been sentenced to detention or other penalties, depending on the specifics of the case.

The Criminal and Penal Codes of Nigeria occasionally establish time limits for prosecuting specific offences, however there is no consistent criterion provided. Concerningly, the Criminal Code imposes restrictive two-month limitation periods for prosecuting defilement offences against girls under sixteen, potentially obstructing justice for child victims who decide to report later in life.<sup>299</sup> However, the Child Rights, Trafficking, and Cybercrimes acts do not include specific statutes of limitations for prosecuting offences. This open-ended timeframe is crucial, as it aligns with the realities of child sexual abuse cases, where victims may delay disclosure until they are older, emotionally ready, or in a supportive environment.<sup>300</sup>

288 Nigeria (1990). *Criminal Procedure Code*. 117.

289 Nigeria (1990). *Criminal Procedure Code*. 143.

290 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Section 43.

291 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Section 44.

292 Diriwari, W. (2023). *Domestic Violence and the Welfare of the Nigerian Child: An Evaluation of the Role of Child Protection Services and Law Enforcement Authorities*. *South Asian Journal of Social Studies and Economics*, 20(4), 68-77.

293 *Ibid*.

294 Justice for All Nigeria. (2015). *Juvenile women and children units*. British Council.

295 Women's Consortium of Nigeria. (2024). Personal Communication.

296 Nigeria (2003). *Child Rights Act*. Section 181.

297 Nigeria (2016). *Lagos State Safeguarding and Child Protection Policy*.

298 Denis Onoise representative from UNICEF

299 Nigeria (1990). *The Criminal Code*. Sections 218, 221.

300 United Nations Children's Fund and International Rescue Committee (2023) *Caring for Child Survivors of Sexual Abuse Guidelines*. New York: UNICEF.

In 2019, Nigeria introduced the National Sexual Offender Database, which includes a public website listing individuals on the sex offender registry for both convicted and arraigned cases.<sup>301</sup> Access to information about arraigned cases requires user registration and payment of a fee. The database also features a verified service provider directory to support victims. As of 15 November 2024, the registry contained 1,684 entries, comprising 338 convicted offenders, 875 cases still in court, and 204 under investigation.<sup>302</sup> However, the specific impact of this registry on addressing the sexual exploitation of children remains an area requiring further research.

### Child-centric justice

The Child Rights Act establishes a family court for the Federal capital territory and provides that every state of the federation shall establish a similar court for the purposes of hearing and determining matters relating to children.<sup>303</sup> Such courts shall have unlimited jurisdiction to hear and determine any civil proceeding in respect of children, and any criminal proceeding in respect of an offence committed against a child or against the interests of a child.<sup>304,305</sup> In May 2022, Nigeria's Ministry of Women Affairs, announced the establishment of family courts in 16 states in collaboration with various stakeholders.<sup>306</sup> However, by May 2023, UNICEF noted that only three states had set up these courts, urging other states to follow suit for better child protection.<sup>307</sup>

During the validation workshop for this report, the Attorney General of Lagos State addressed in a keynote speech the challenges in accessing justice for child victims. The speech highlighted that most courts in Nigeria are general, with few specialised tribunals. Despite the level of sexual violence in the country, there are still no specific courts to fast-track justice in child sexual violence cases.<sup>308</sup>

The Child Rights Act also provides for the professionalisation and training of court personnel, such as professional education, in-service training, refresher courses and other modes of instruction to promote and enhance the necessary professional competence they require.<sup>309</sup> Additionally, the contents of the education, training and courses shall reflect the diversity of the children who the court come into contact with, and the diversity and complexity of matter dealt with by the Court. In constituting a court handling a matter concerning a child, consideration shall be given to the circumstances and the needs of the child.<sup>310</sup>

The professional training and education for court personnel is only partially implemented in practice.<sup>311</sup> The National Judicial Institute and the National Institute for Legal Studies provide training for judges, magistrates, and other court personnel on child rights and child justice. The Federal Ministry of Justice and the National Human Rights Commission have also organised workshops and training programmes for court personnel on child rights and child justice.<sup>312</sup> Some states in Nigeria, such as Lagos and Ekiti, have established specialised courts for child-related cases and have provided training for court personnel on child rights and child justice.<sup>313</sup> However, it was highlighted that the implementation of this training framework is

301 ECPAT International. (2023) *Child Sex Offender Registries*. Bangkok: ECPAT International.

302 Federal Republic of Nigeria. (n.d.). *National Sexual Offender and Service Provider database*.

303 Nigeria (2003). *Child Rights Act*. Section 149.

304 Nigeria (2003). *Child Rights Act*. Section 151.

305 M Olakunle Sanni representative from Child Protection Network Nigeria

306 Voice of Nigeria. (2022). *Nigerian government establishes family courts across states*. Voice of Nigeria.

307 Voice of Nigeria. (2023). *Child rights: UNICEF calls for establishment of family courts*. Voice of Nigeria.

308 Validation Workshop- 26-27 June 2024. Keynote speech of the Attorney General of Lagos State delivered by the Executive Director of Domestic & Sexual Violence Agency.

309 Nigeria (2003). *Child Rights Act*. Section 154.

310 *Ibid.*

311 WOCON (2024). *Personal Communication*.

312 *Ibid.*

313 *Ibid.*



not uniform across all states in Nigeria, and there is a need for more consistent and comprehensive training programmes for court personnel.<sup>314</sup>

The Child Rights Act also provides for free legal aid in the hearings and determination of matters concerning a child, along with the right to representation by a legal practitioner.<sup>315</sup> There are, however, no comprehensive statistics on the number of children who receive free legal aid.

As per the Child Rights Act, only a certain group of persons can attend court hearings, these are members and officers of the Court, parties to the case, their counsels, parents or guardians of children and persons directly concerned in the case. All other persons including members of the press are excluded from attending court hearings.<sup>316</sup> The Act provides that the proceedings shall be conducive to the best interests of the child and shall be conducted in an atmosphere of understanding, allowing the child to express and participate in the proceedings.<sup>317</sup> Additionally, whether in civil or criminal proceedings, the evidence of a child may be given unsworn, and such deposition shall be taken for the purposes of proceedings as if that evidence had been given on oath.<sup>318</sup>

The privacy of the child is also protected at all stages of child justice administration to avoid harm being caused to the child by undue publicity or the process of labelling.<sup>319</sup> The Child Rights Act prohibits the publication of the name, address, school, photograph, or anything likely to lead to the identification of a child whose matter is before the court. Anybody acting in contravention of these provisions can be punished with a fine or imprisonment for a term of five years, or both.<sup>320</sup>

However, in the Attorney General's keynote speech during the validation workshop of this report, it was emphasised that prosecutors and judges lack the necessary training to effectively handle these cases.<sup>321</sup> They struggle with navigating child victim testimonies and acquiring essential evidence to prove complex cases. This includes forensic evidence, incriminating electronic material, and other corroborative evidence, which are often absent in trials. Furthermore, police investigations and the quality of evidence are frequently substandard, insufficient to meet the judiciary's expectations.

In addition, according to many informants, interviewed in the development of this report, the access to justice for survivors is still limited for the various reasons including costs, length of the process, fear of retaliation by the offenders and, lack of training and awareness by police officers. In addition, three key informants further noted how at times child survivors do not report nor access justice because the offender is someone within their family or circle of trust and therefore the issue is dealt with privately.<sup>322</sup> According to a key informant from UNICEF, children may not report incidents of abuse due to fear of being silenced or not believed by their caregivers, facing embarrassment or blame from their community and lacking accessible support from government institutions like police stations equipped to handle cases involving minors.<sup>323</sup>

### *Access to recovery and reintegration*

Under the Child Rights Act, every child in need of special protection has the right to receive the necessary support for their emotional and mental needs. This support should be provided under

314 *Ibid.*

315 Nigeria (2003). *Child Rights Act. Section 155.*

316 Nigeria (2003). *Child Rights Act. Section 156.*

317 Nigeria (2003). *Child Rights Act. Section 215.*

318 Nigeria (2003). *Child Rights Act. Section 160.*

319 Nigeria (2003). *Child Rights Act. Section 205.*

320 *Ibid.*

321 Validation Workshop- 26-27 June 2024. Keynote speech of the Attorney General of Lagos State delivered by the Executive Director of Domestic & Sexual Violence Agency

322 Comfort Alli from Street Child Care and Welfare Initiative; Denis Onoise from UNICEF and M Olakunle Sanni -from Child Protection Network Nigeria.

323 Denis Onoise representative from UNICEF

conditions which ensure their dignity, promote self-reliance, and encourage active participation in the affairs of the community.<sup>324</sup> All entities responsible for ensuring the care of a child in need of special protection must provide the assistance and facilities necessary for the child's rehabilitation. This care should be conducive to achieving the fullest possible social integration, individual development and cultural and moral development of the child.<sup>325</sup>

Child development officers, police officers or other authorised personnel can bring children who are in need for care and protection before a court. Among others, this provision refers to children "*living in circumstances calculated to cause, encourage of favour the seduction or prostitution of the child*".<sup>326</sup> A child against whom an offence against morality has been committed or attempted, also fall within the scope of this protection.<sup>327</sup> In such instances the court may order for the child to be placed for a specified period under the supervision of a relative, an institution or child development officer.<sup>328</sup>

With specific regard to victims of trafficking crimes, the Trafficking Act provides that the National Agency for the Prohibition of Trafficking in Persons should ensure that a trafficked person is not subjected to discriminatory treatment on account of their race, colour, and other characteristics.<sup>329</sup> The Agency also seeks to ensure that the trafficked person has access to adequate health and other social services during the period of temporary residence.<sup>330</sup> The Agency is entrusted with the responsibility to take steps to maintain and rehabilitate facilities provided for trafficked persons.<sup>331</sup> It must also protect a trafficked person and their family from intimidation, threats, and reprisals from traffickers and their associates, including those in position of authority.<sup>332</sup> A victim of trafficking in persons shall be provided with counselling and information as regards victim's legal rights in a language that the victim can understand.

The Trafficking Act establishes Transit Shelters which are managed and supervised as homes to cater for rescued trafficked persons particularly women and children.<sup>333</sup> The aim of these shelters is to provide protection, assistance, counselling, rehabilitation, and training for the rescued victims to facilitate their reintegration into the society.<sup>334</sup> The National Agency for the Prohibition of Trafficking in Persons operates 14 shelters across its 10 zonal commands. They provided services to 1,587 victims in 2023.<sup>335</sup> Typically, these shelters offer accommodation for a period of up to six weeks. However, this duration can be extended for particularly vulnerable individuals or for those who choose to assist in the investigation and legal proceedings against their traffickers.<sup>336</sup>

Two organisations interviewed for this overview provide services in shelters for survivors. For example, the Bakhita Empowerment Centre operates a shelter that provides support and rehabilitation for survivors of human trafficking, focusing on young girls and women. It collaborates with government agencies like the National Agency for the Prohibition of Trafficking in Persons but struggles with inadequate funding. The centre also works with community leaders, religious authorities, and families to raise awareness about trafficking. Success stories include rehabilitated survivors who have married, become entrepreneurs, or gained employment after obtaining skills at the shelter.<sup>337</sup> However, in the Attorney General's presentation on access to justice for child victims of sexual exploitation in Nigeria, it was noted that in certain instances, victims are not referred to specialists in psychological and social care. Psychological evaluations of the children are not conducted, and the evidence-gathering processes are often inadequate, providing the defence with ample opportunities to challenge the weight of the evidence.

324 Nigeria (2003). *Child Rights Act. Section 16 (1)*.

325 Nigeria (2003). *Child Rights Act. Section 16 (2)*.

326 Nigeria (2003). *Child Rights Act. Section 50 (1) (j) and (k)*.

327 Nigeria (2003). *Child Rights Act. Section 50 (1) (l)*.

328 Nigeria (2003). *Child Rights Act. Section 50 (3)*.

329 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act. Section 61*.

330 *Ibid.*

331 *Ibid.*

332 *Ibid.*

333 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act. Section 64*.

334 *Ibid.*

335 US Department of State. (2024). *2024 Trafficking in Persons Report: Nigeria*.

336 European Asylum Support Office. (2021). *EASO Nigeria Trafficking in Human Beings Country of Origin Information Report*.

337 Rv. Sis. Patricia Ebegbulem representative from Bakhita Empowerment Center

## Access to compensation

The Criminal Procedure Act (South) and Criminal Procedure Code (North) do not explicitly outline the rights of victims to receive compensation. However, the Administration of Criminal Justice Act states that a court may, within the proceedings or while passing judgment, order the defendant or convict to pay a sum of money as compensation to any person injured by an offence.<sup>338</sup> Moreover, child victims of sexual exploitation can claim compensation through civil proceedings under the Violence Against Persons Prohibition Act,<sup>339</sup> which was enacted in 2015 to address various forms of violence against individuals including children. It prohibits all forms of violence, provides protection and remedies for victims, and mandates the creation of a sex offenders register.<sup>340</sup> However, it is important to note that this Act leaves the determination of compensation to the discretion of the court.<sup>341</sup>

Under the Trafficking Act, a trafficked person irrespective of their immigration status is entitled to compensation, restitution, and recovery for economic, physical, and psychological damages which shall be assessed and paid out of forfeited assets of the convicted trafficker. Additionally, a trafficked person has the right to institute civil action against a trafficker and any other person. However, it is pertinent to note that there is no specific mention of children in this section.<sup>342</sup> The Act also sets up a Victims of Trafficking Trust Fund, to be utilised to pay compensation, restitution and damages to trafficked persons and to fund victim support services.<sup>343</sup>

Compensation for child victims of sexual exploitation was not touched upon during the interviews with key informants, and it is therefore unclear whether the described provisions are applied in practice.

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338 Nigeria (2015). *Administration of Criminal Justice Act*. Section 319.

339 Nigeria (2015). *Violence against Persons Prohibition Act*.

340 *Ibid.*

341 Nigeria (2015). *Violence against Persons Prohibition Act*. Section 1 and 2.

342 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Section 65.

343 Nigeria (2015). *Trafficking in Persons (Prohibition) Enforcement and Administration Act*. Section 67.

## CHILDREN'S AND SURVIVORS' PARTICIPATION

Generally, there is limited child participation in shaping Nigeria's legislation and policies. The Child Rights Act does not specifically address child involvement except in legal proceedings. The National Strategy to End Child Marriage in Nigeria identifies the meaningful participation of adolescents and young people as key to its successful implementation. However, specific actions to ensure child participation were not detailed in the strategy.<sup>344</sup> This perspective is echoed by UNICEF which pointed out the relatively low level of child participation in developing legislation and national action plans.<sup>345</sup> The National Children's Parliament was established in 2003, with similar bodies at the state level, aiming to allow children to share their thoughts, engage in discussions, and contribute to decision-making.<sup>346</sup>

Despite these efforts, there is a lack of data on the effectiveness of these children's parliaments. The African Network for the Prevention and Protection against Child Abuse and Neglect has criticised these bodies as largely symbolic, with minimal real-world impact.<sup>347</sup> Similarly, a concern was raised by a key informant from a non-governmental organisation, who expressed that the children's parliament cannot fully represent all children, as its members have not experienced the same challenges as those they aim to represent.<sup>348</sup>

Although children are not significantly involved in governmental procedures specifically addressing sexual exploitation, some activities across Nigeria encourage their participation. For instance, children

aged 10-18 took part in an online virtual session organised by the Nigerian Communications Commission, focusing on adopting updated guidelines for online safety tailored to Nigerian children.<sup>349</sup> Furthermore, on the Day of the African Child, a virtual event titled "Fireside Chat with Children" was organised, involving children from Nigeria and other African countries. This event was specifically designed to enable these young participants to lead discussions about their concerns related to the digital space.<sup>350</sup>

Finally, non-governmental organisations play a crucial role in facilitating children's involvement in issues related to sexual exploitation. As an illustrative example, the Action Against Child Sexual Abuse Initiative has launched the Safe Hub Club project, a hybrid of school-based and digital initiatives in Nigeria.<sup>351</sup> This project focuses on empowering primary and secondary school students to lead efforts against childhood sexual violence. The initiative trains students to be advocates and develops educational materials for online distribution. The goal is to establish a child-centric, inclusive system that equips children with the necessary tools and knowledge to protect themselves, report incidents, and seek assistance when required.<sup>352</sup>

344 Federal Ministry of Women Affairs and Social Development. (2016). *National Strategy to End Child Marriage in Nigeria. 2016-2021.*

345 UNICEF (2020). *Country Office Annual Report 2020. Nigeria.*

346 Women Consortium of Nigeria, & ECPAT International. (2018). *Sexual exploitation of children in Nigeria: Submission for the Universal Periodic Review of the human rights situation in Nigeria to the Human Rights Council.*

347 ECPAT International. (2020). *Executive Summary. Nigeria.*

348 Comfort Alli from Street Child Care and Welfare Initiative.

349 Nigerian Communications Commission. (n.d.). *Child online protection.*

350 *Ibid.*

351 Action Against Child Sexual Abuse Initiative. (n.d.). *Programs.*

352 *Ibid.*

## RECOMMENDATIONS

The following recommendations are based on the findings from the desk review and interviews. These recommendations were also validated and enhanced during the validation workshop held on the 25<sup>th</sup> and 26<sup>th</sup> of June 2024 in Abuja, Nigeria.

### *International and regional legislation, commitments and coordination to ending sexual exploitation of children*

- ➔ Strengthen international collaboration with countries identified as common destinations for Nigerian children who are trafficked across borders. This should include sharing intelligence, joint investigations, and bilateral agreements for victim repatriation and support.
- ➔ Ensure that all states in Nigeria undertake the enactment and passage of laws that provide a harmonious interpretation of age of sexual consent, age of marriage and the definition of a child.
- ➔ Undertake efforts to ensure that in States that follow Shari'a law where there could be different interpretations as to the definition of children, there exist measures to protect children.
- ➔ The judiciary system should prioritise and fast-track cases involving child sexual exploitation to ensure timely justice and reduce the backlog of cases.

### *National response to manifestation of sexual exploitation of children*

- ➔ Ensure adequate funding and effective implementation of all national action plans that include objectives aimed at addressing the sexual exploitation of children.
- ➔ Promote evidence-based interventions to shift harmful norms and behaviours, challenging discriminatory attitudes and practices that sustain violence, fostering protective behaviours and values to safeguard children, and dismantling taboos to encourage reporting and access to support services.
- ➔ Integrate all forms of child sexual exploitation into existing national plans of action, specifically objectives aimed at combatting technology-facilitated child sexual abuse and exploitation, sexual exploitation in travel and tourism, and exploitation of children in prostitution.
- ➔ Prioritise the finalisation and official authorisation of the National Plan of Action aimed at ending violence against children by 2030.
- ➔ Implement effective programmes that address the fundamental causes of child, early, and forced marriage, as well as trafficking, focusing on issues like poverty and limited access to education, particularly in rural areas.
- ➔ Collaborate with local communities to identify and assist children who are at risk of sexual exploitation. Initiate programmes that empower these communities, focusing on providing educational and economic opportunities for vulnerable children.
- ➔ Set up safeguarding policies and promote the establishment of guidance and counselling units in schools.

- ➔ Introduce and support comprehensive sexuality education in schools and community centres across all states in Nigeria. These programmes should cover topics such as healthy relationships, consent, and the risks of sexual exploitation, in-person and online.
- ➔ Launch nationwide campaigns to raise awareness among parents about the importance of supervising and guiding their children's online activities. These campaigns should provide practical tips on setting internet usage rules, monitoring online behaviour, and encouraging open communication about online experiences.
- ➔ Conduct extensive awareness campaigns to inform the public about the availability of therapy, legal aid, medical care, and shelter services for children who are victims of exploitation, ensuring they and their guardians know where to seek help.
- ➔ Work closely with community and religious leaders in areas where child marriage is prevalent. Educate them about the negative impacts of child marriage and involve them in advocacy campaigns to change social norms.
- ➔ Ensure that the awareness-raising activities carried out by the National Agency for the Prohibition of Trafficking in Persons are implemented across all regions of Nigeria and incorporate information specifically about trafficking of children for sexual purposes.
- ➔ Enhance awareness and expand tailored services and training focused on issues pertaining to the sexual exploitation of boys.
- ➔ Create anonymised reporting channels such as hotlines with small digits to encourage reporting with different languages available for children in transit.

### *Access to justice and right to remedies for child victims of sexual exploitation*

- ➔ Develop a standardised referral system to ensure that victims of child sexual exploitation are promptly directed to appropriate services and support.
- ➔ Expand the network of Sexual Assault Referral Centres across Nigeria to provide more accessible and specialised support for victims of sexual assault, including medical care, counselling, and legal assistance.
- ➔ Improve and expand online platforms for reporting incidents of child exploitation to make it easier for children to report cases anonymously and safely.
- ➔ Allocate essential funding and support to non-governmental organisations that offer recovery and reintegration services for children who have been victims of sexual exploitation.
- ➔ Create comprehensive mechanisms for reporting incidents and providing feedback to ensure accountability and continuous improvement in handling cases of child sexual exploitation.
- ➔ Enhancing the capacity of the police and other justice professionals that interact with child victims in child-centred and trauma-informed ways.

### *Children's and survivors' participation*

- ➔ Support and fund the active involvement of children and youth in the design, monitoring, and assessment of policies and programmes, as well as in campaigns focused on increasing awareness and preventing child sexual exploitation.
- ➔ Empower the National Children's Parliament to have a more active and influential role in policymaking. Ensure that their recommendations are considered in governmental decisions, especially those related to child welfare, safety, and education.
- ➔ Create additional platforms and fora where children can participate in discussions and contribute to decision-making on issues affecting them, particularly in the context of sexual exploitation.
- ➔ Implement survivor-led projects that include vulnerable children (e.g. those with disabilities) to challenge the culture of silence and taboo around this topic due to the stigmatisation.

## Research gaps

- ➔ Support and fund research focusing specifically on the sexual exploitation of boys in Nigeria.
- ➔ Encourage and support research initiatives to gather more specific data on the extent and nature of child sexual exploitation in travel and tourism, as well as the exploitation of children in prostitution, in Nigeria. Research initiatives should also focus on the profiles and motivations of perpetrators of these crimes.
- ➔ Streamline and expand data collection regarding all forms of child sexual exploitation across various public bodies, including law enforcement, judiciary, social, and health services. Ensure that this data is disaggregated by age, gender, and other relevant characteristics to develop evidence-based policies, tailored to the specific needs of child victims. Gather and publish relevant data in an easily processable way.



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