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Doctoral Dissertation

The Slave Coasts

Transnational Sexual Exploitation from Nigeria to Italy.
From human trafficking to human rights

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To Ninni Cassarà, my beloved uncle.

*Your ideas walk on our legs, and they are much more powerful than
200 kalashnikov bullets*

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Survivors of Prostitution and Trafficking Manifesto

“Who Represents Women in Prostitution?”

Press Conference – European Parliament

Brussels, 17 October 2005

“We, the survivors of prostitution and trafficking gathered at this press conference today, declare that prostitution is violence against women.

Women in prostitution do not wake up one day and “choose” to be prostitutes. It is chosen for us by poverty, past sexual abuse, the pimps who take advantage of our vulnerabilities, and the men who buy us for the sex of prostitution.

Prostitution is sexual exploitation, one of the worst forms of women’s inequality, and a violation of any person’s human rights.

Many women in prostitution have been severely injured, some have died, and some have been murdered by their pimps and customers.

Physical violence, rape and degradation are often inflicted on us by customers, pimps, recruiters, police and others who gain from prostitution. The public either judges us as “whores” or thinks we make a lot of money.

The condition of women in prostitution is worsened by laws and policies that treat us as criminals and the scum of society, while customers, pimps, managers and sex business owners are not made accountable. Our condition is also made worse by giving licenses to prostitution enterprises and legal protection to pimps, customers and the sex industry.

Most women are drawn into prostitution at a young age. The average age of entrance into prostitution worldwide is 13. Victims of prostitution and trafficking have almost no resources to help them exit. Programs that provide alternatives for women in prostitution are very few.

Women in prostitution dream of a life free from oppression, a life that is safe, and a life where we can participate as citizens, and where we can exercise our rights as human beings, not as “sex workers”.

We, survivors from Belgium, Denmark, Korea, the UK and the United States declare:

1. Prostitution must be eliminated. Thus, it should not be legalized or promoted.
2. Trafficked and prostituted women need services to help them create a future outside of prostitution, including legal and fiscal amnesty, financial assistance, job training, employment, housing, health services, legal advocacy, residency permits, and cultural mediators and language training for victims of international trafficking.
3. Women in prostitution need governments to punish traffickers, pimps and men who buy women for prostitution and to provide safety and security from those who would harm them.
4. Stop arresting women and arrest the perpetrators of trafficking and prostitution.
5. Stop police harassment of women in prostitution and deportation of trafficked women.
6. Prostitution is not "sex work," and sex trafficking is not "migration for sex work." Governments should stop legalizing and decriminalizing the sex industry and giving pimps and buyers legal permission to abuse women in prostitution.

As survivors of prostitution and trafficking, we will continue to strengthen and broaden our unity, help any woman out of prostitution, and work with our allies to promote the human rights of victims of trafficking and prostitution."¹

¹ "Survivors of Prostitution and Trafficking Manifesto". *Nomas-App*. Available at <<http://nomas.org/survivors-of-prostitution-and-trafficking-manifesto/>> [Accessed 17 December 2017].

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List of Acronyms and Abbreviations	
APG23	Associazione Papa Giovanni XXIII, Italian NGO
CIE	Centri Identificazione ed Espulsione (Identification and Expulsion Centers)
CARA	Centro di Accoglienza per Richiedenti Asilo (Asylum Seekers Reception Center)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
DDA	Direzione Distrettuale Antimafia (Anti-mafia investigation District Office)
DNA	Direzione Nazionale Antimafia(Antimafia National Office)
ECHR	European Court of Human Rights
HTSE	Human Trafficking for Sexual Exploitation
ICC	International Criminal Court
ILO	International Labour Organization
IOM	International Organization for Migration
LF	Legal Framework
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NGO	Non-Governmental Organization
STDI	Sexually Transmitted Diseases and Infections
PTSD	Post Traumatic Stress Disorder
SPA	Sex Purchase Act
UFM	Unaccompanied Foreign Minors
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNODC	United Nations Office on Drug and Crime

Preface

The following field research, triggered by an educated guess and then grounded on ethnographic strategies, intends to be an eyewitness account, resulting not only from a participative observation but from a three-year full immersion and somehow social integration into the world of sexual exploitation of Nigerian girls in Palermo, started in October 2014 and still ongoing. During this timespan I have personally met approximately 230 girls in many different places of Palermo: the port upon migrants disembarkation; on the road as a member of the Mobile Outreach Unit for Nigerian girls; several short-term emergency Centers and long-term reception Centers for underage and adult migrants; refugee camps; shelters for human trafficking victims; hospitals; lawyers' offices; NGOs premises, such as Caritas and Centro Astalli; African churches; Ballarò (the Nigerian ghetto); and Pagliarelli jail, which is Palermo's main prison.

Most fieldwork was undertaken in Sicily using heuristic techniques and qualitative methods. Each interview was conducted in a manner appropriate for its setting. The perspective adopted to describe the data collected follows both the emic (insider's viewpoint) and etic (observer's viewpoint) approaches, hence the researcher's outlook may at times overlap the girls'. Intuitions, at times, paved the road for shortcuts or identified starting points for further research. The overall goal of this work is to offer an innovative emic view on migrants' sexual exploitation, backed by empirical evidence, that will contribute to epistemological progress, advancement of a long run holistic vision of human rights and recognition of the supremacy of human dignity over any individualistic² interpretation of human rights. The significance of this research is also to be appraised in empirical terms, policy making and defining lines of action in contrasting human trafficking

This investigation has already contributed to the creation of the following

² Trujillo, I. and Viola, F. (2016) *Human rights are not ours but others. What human rights are not (or not only)*. New York: Nova Science. The relation between individualism and human rights is described throughout the book. In particular, see the concepts of equality in difference p.15 and of others' human rights p.18.

international and national media reports on Nigerian child and adult sexual exploitation in Italy:

Financial Times, UK

The Long And Dangerous Road To Slavery

Videoreport³ published on 3/12/2015

Rai News, Italy

The New Slaves, From Nigeria To Europe

Videoreport⁴ published on 14/2/2016

UNICEF

The Invisible: Investigative Report On Unaccompanied Foreign Minors In Italy

Videoreport⁵ published on 21/12/2016

Sky, Italy

Drug Trafficking And Sex Trafficking: Nigerian Mafia In Italy

Videoreport⁶ published on 09/03/2016

Avvenire, Italy

Refoulement Operations: Nigerian Women Alert

Newspaper article⁷ published on 27/10/2015

Redattore Sociale, Italy

Prostitution And Slavery, The Outreach Mobile Unit Volunteers Facebook Page⁸

³ Financial Times (2015) The Long And Dangerous Road To Slavery. *Ft.Com*
<<http://www.ft.com/intl/cms/s/2/26f1a120-990f-11e5-95c7-d47aa298f769.html#axzz3tHvI60AH>> [Accessed 17 November 2017].

⁴ Rai News (2016) Le Nuove Schiave, dalla Nigeria All'Europa. *Rainews.it*
<<http://www.rainews.it/dl/rainews/media/tratta-nigeriane-347218c8-d8b5-4e75-b069-55f5faec80e4.html>> [Accessed 17 November 2017].

Translation of original title.

⁵ UNICEF (2016) Invisibili, Video-Inchiesta Sui Minori Stranieri Soli Nel Nostro Paese. *Unicef.It*
<<http://www.unicef.it/doc/7239/invisibili-videoinchiesta-su-minori-stranieri-non-accompagnati-in-italia.htm>> [Accessed 17 November 2017].

Translation of original title.

⁶ Sky TG24 (2016) Spaccio Di Droga E Tratta Sessuale, La Mafia Nigeriana In Italia. *Tg24.Sky.It*
<<http://tg24.sky.it/cronaca/2016/03/09/vice-on-sky-tg24-mafia-nigeriana.html>> [Accessed 17 November 2017].

Translation of original title.

⁷ Translation from original title: "Respingimenti, è allarme nigeriane".

⁸ Redattore Sociale. (2015) "Schiavitù E Prostituzione, La Pagina Facebook Dei Volontari Dell'unità Di Strada".
Agenzia.Redattoresociale.It

<<http://www.agenzia.redattoresociale.it/Notiziario/Articolo/488202/Schiavitu-e-prostituzione-la-pagina-Facebook-dei-volontari-dell-unita-di-strada>> [Accessed 17 November 2017].

Newsagency article published on 24/7/2015.

Introduction and main argument

Transnational Human Trafficking for Sexual Exploitation (HTSE)⁹, bulk component of contemporary prostitution in the Minority World¹⁰, is a gross violation of non-derogable fundamental human rights and nullifies the person's *status libertatis*.

The coincidence between human trafficking for sexual exploitation and prostitution is not a necessary condition: not all prostitution can be labeled as sex trafficking. However, this research intends to demonstrate that there is a causal and necessary link between HTSE and prostitution. HTSE is not sex trafficking, as sex cannot be trafficked without trafficking the person in his/her entirety. It is, rather, the maximum expression of objectification, gender-based violence, commoditization, discrimination, human monetization, slavery, debasement of sexuality, deprivation of sexual freedom, humiliation and dehumanization, besides shedding a light on the increasing relational difficulties of men. Most of these features connote prostitution too.

The limited success of international and national efforts in eradicating the profound injustices linked to HTSE registered since 2000, year in which the UN Trafficking Protocol¹¹ was adopted, might be due, *inter alia*, to the huge definitory problem of "trafficking"¹² and, as a consequence, to the partial

Translation of original title.

See the Facebook Page, renamed in 2017 as "Prostituzione", at <<https://www.facebook.com/prostituzioneitalia/>> [Accessed 17 November 2017].

⁹ Hereinafter HTSE.

¹⁰ Minority World: Europe, North America, Oceania and Japan, counting 1,2 billion people.

Majority World: The rest of the planet (Africa, Asia and Latin America) counting 6,3 billion people.

I chose this definitions instead of outdated and politically connoted expressions such as Global South, Developing or Third World countries, with the aim of focusing on demographic difference and economic inequality. The so-called Western World is a tiny minority of the planet both in demographical terms and geographical extension but possesses most of the earth resources. According to Oxfam, 1% of the world population owns as much resources as the remaining 99%, and only 8 people own the same wealth of half of the world inhabitants. See Oxfam GB (2016) *An Economy For The 1%*. 210 Oxfam Briefing Paper. Oxford: Oxfam International. Available at <https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp210-economy-one-percent-tax-havens-180116-en_0.pdf> [Accessed 17 November 2017].

¹¹ UN (2000) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Conventions against Transnational Organized Crime. Available at <https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-38%20AM/Ch_XVIII_12_ap.pdf> [accessed 2 May 2015].

¹² Stoyanova underlines the limits of the concept of trafficking produced by the UN Protocol, which ends up overlooking international human rights law on slavery. See Stoyanova, V. (2017) Human Trafficking and Slavery

recognition of the direct nexus that links prostitution with trafficking. Failure to recognize prostitution as the leading causal factor of HTSE prevents the authorities from effectively addressing this devastating yet tolerated and normalized contemporary abuse. States proved to be recalcitrant in committing to human trafficking when the changes proposed are not in their interest.

Putting “sex workers” and “victims of trafficking” at the same level instils the doubt that reality would mirror an equal distribution of women between the 2 artificially distinguished phenomena. Based on a 90% coincidence between both prostitution and migration (Tampep)¹³ and prostitution and HTSE (Scelles Foundation)¹⁴ in many countries including Italy, this research discusses the current strong connection between these 2 phenomena and disincarnation of human rights, minor age, poverty, slavery, criminality, exploitation, violence, private suffering, permanent harm, gender inequality, dignity, integrity and agency erosion. The abuse of a position of vulnerability described by the EU in this respect is enlightening: “any situation in which the person involved has no real and acceptable alternative to submitting to the abuse”¹⁵.

The crosscutting element of both prostitution and HTSE which is simultaneously an indispensable tool for survival in our capitalist society and a generating cause of corruption and exploitation.

Background

This study responds to the request made by the 2014 “Resolution of the European Parliament on sexual exploitation and prostitution and its impact on gender equality” for further studies on patterns of prostitution, human trafficking and sex tourism in the European Union¹⁶. The gender dimension has a

Reconsidered. Cambridge: Cambridge University Press.

¹³ See Tampep (2009) *Sex work in Europe: a mapping of the prostitution scene in 25 European countries*. Amsterdam: Tampep International Foundation. p.25.

¹⁴ Data of the Fondation Scelles cited by Mary Honeyball, EU MP and Rapporteur of the Committee on Women’s Rights and Gender Equality in EU Parliament (2013) Motion For A European Parliament Resolution on sexual exploitation and prostitution and its impact on gender equality. (2013/2103(INI)).
<<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2014-0071+0+DOC+XML+V0//EN>> [accessed 2 May 2015].

¹⁵ Council of Europe (16 May 2005) Explanatory Report to the Council of Europe Convention on Action against Trafficking in Human Beings. Warsaw: CoE, par.83. p.15. <<https://rm.coe.int/16800d3812>>[accessed 2 May 2015].

¹⁶ See European Parliament (26 February 2014) Resolution on sexual exploitation and prostitution and its impact on gender equality. Available at <<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2014-0162+0+DOC+XML+V0//EN>> [accessed 4 December 2017].

preponderant role in this analysis because “prostitution and forced prostitution are gendered phenomena with a global dimension (...) with the vast majority of prostituted persons being women and under-age females, and almost all buyers being men”¹⁷. It draws on the conclusions of the Resolution identifying prostitution as a “cause and a consequence of gender inequality which it aggravates further”¹⁸.

In addition to literature, this research is based on evidence from both my fieldwork and statistical data from EU institutions, bodies and offices (Parliament, Commission, Europol, Eurostat, Court of Human Rights); UN organizations (IOM, UNODC, UNICRI, UNICEF); Istat (Italian National Statistics Institute); as well as both Italian and Nigerian Ministries of Justice, Interior, Gender and Social Policies.

The aim is to open a global debate on the current strong link between migration and prostitution¹⁹ on the basis of the reality observed in Palermo in the timespan 2014-2017. The main three elements emerging from the analysis

Art.39 of the Resolution “urges the Commission to evaluate the impact that the European legal framework designed to eliminate trafficking for sexual exploitation has had to date, to undertake further research on patterns of prostitution, on human trafficking for the purpose of sexual exploitation and on the increased level of sex tourism in the EU, with particular reference to minors, and to promote the exchange of best practices among the Member States”.

The 2014 European Parliament Resolution on sexual exploitation and prostitution and its impact on gender equality followed the key findings contained in:

- i) the report of the Committee on Women’s Rights and Gender Equality (Rapporteur: Honeyball) and the opinion of the Committee on Development. Available at <<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2014-0071+0+DOC+XML+V0//EN>> [accessed 4 December 2017].
- ii) the EU Parliament 2014 briefing paper on sexual exploitation and prostitution and its impact on gender equality. The latter explores and compares the abolitionist and regulatory approaches questioning whether prostitution can be voluntarily chosen or it is altogether to be recognized as a violation of women’s human rights. See European Parliament - Directorate General For Internal Policies (January 2014) Sexual exploitation and prostitution and its impact on gender equality. Brussels: EU. Available at <[http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET\(2014\)493040_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET(2014)493040_EN.pdf)> [accessed 4 December 2017].

¹⁷ EU Resolution on sexual exploitation, point A.

¹⁸ Ibidem.

¹⁹ According to Tampep, 90% of “prostitutes” in Italy are not nationals but migrants. Their origin, as of 2008, is: Africa 40% (mostly Nigeria), Central Europe 24% (mostly Romania), Latin America and Caribbean 15%, Eastern Europe 7%, Balkan 6% (mostly Albania), Asia 4% (increase in Chinese women), Baltic 1%, other European countries 3%. See Tampep (2009) *Sex work in Europe: a mapping of the prostitution scene in 25 European countries*. Amsterdam: Tampep International Foundation. p.25

The same data is confirmed by Censis in Gruppo Abele (2008) *Dati tratta delle persone*. p.9. Available at <<http://www.istitutolorenzinipecchia.it/sito/wp-content/uploads/2014/12/datitratta-GRUPPO-ABELE.pdf>>. [accessed 9 February 2016].

According to Aghatise, Nigerian lawyer, activist and founder of Iroko, an anti-trafficking NGO, the percentage of foreign women in prostitution in Italy reaches over 95%. See Aghatise, E. (2002) *Trafficking for prostitution in Italy: concept paper*. In Expert Group Meeting on Trafficking in women and girls 18-22 November 2002. Glen Cove: UN. p. 21. Available at <<http://www.un.org/womenwatch/daw/egm/trafficking2002/reports/EP-Aghatise.PDF>>. [Accessed 10 May 2017].

are criminality, poverty and exploitation. The research will elaborate on the way the mafia-like exploitation system works.

The 21st century represents our turning point: it's the beginning of the "modern slavery era"²⁰. My research demonstrates how the Nigerian and Italian mafia set up a money-making system able to elude the law hitherto by taking advantage firstly of Libya's instability, secondly of Italian evergreen illegal markets, and thirdly of upsurging massive migratory movements of people escaping to Europe from hunger and war in Africa.

The legal framework on prostitution is still incomplete at both the national and international levels and needs to be calibrated in the context of the current reality of crime and migration. The mafia's great flexibility enables it to take advantage of gaps in national and international law. In order to meet the current needs, Italy could explore the possibility of fully or partially adopting the model proposed by the Swedish Sex Purchase Act, *mutatis mutandis*.

Nigeria, which currently ranks 23rd in the world for modern slavery, is at the same time a source, transit and destination country for sexual exploitation, while Italy plays the roles of both transit and especially of destination country²¹.

As official UN data suggest, Italy represents the preferred destination of the Nigerian sexual exploitation market²²: estimates count up to 26.500 sexually exploited Nigerian girls in the country in the decade 2000-2009²³. According to Caritas, however, the numbers may be even higher. The aid agency, counting also on the work of its mobile outreach units, calculates that the total number of victims of sexual exploitation would be 25.000-30.000 per year, i.e. a total of 250.000-300.000 per decade²⁴. Nigerians are said to amount to at least 41%

²⁰ Council of Europe, Parliamentary Assembly (9 July 2007) Report: Prostitution – which stance to take?. Doc. 11352. Committee on Equal Opportunities for Women and Men. Rapporteur: Mr Leo PLATVOET, Netherlands, Group of the Unified European Left. http://www.assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=11596&lang=en#P166_27974

²¹ Global Slavery Index. (2016). *GSI 2016. Full Report*. p.27 and p.36. Vulnerability to modern slavery is calculated at 62% in Nigeria.

²² Carling, J. (2005). *Migration, Human Smuggling and Trafficking from Nigeria to Europe*. IOM. p. 7.

²³ UNICRI cites estimates of the Nigerian embassy and Parsec.

See UNICRI (2010) *La Tratta Delle Minorenni Nigeriane In Italia. I Dati, I Racconti, I Servizi*. Rome: UNICRI. p.106.

²⁴ Gruppo Abele, Dati sulla tratta, p. 10.

of all the sexually exploited²⁵.

Sicily plays a major role in the sexual exploitation ring involving Nigerian migrants, and not only because it is the headquarters of both the Italian and the Nigerian mafias. The cooperation between Cosa Nostra (Sicilian mafia) and the two organizations known as Black Axe and Eiyé (Nigerian mafia) represents the starting point for the sexual exploitation of Nigerian girls (minors as well as adults). The Nigerian mafia is in charge of deceptively recruiting (mostly illiterate) young girls in the rural areas of Nigeria's Edo State, while the Italian (and more specifically, Sicilian) mafia has the task of guaranteeing "protection" to girls in its territory. As in the case of the Nigerian Oba, king of Benin, who used to own all the land of his kingdom, the Sicilian mafia "owns" and thus rents its territory to the Nigerian criminal network.

The social and cultural degradation, along with the limited institutional presence of the Italian State in many neighborhoods of the city of Palermo, contributed to the creation of what I call the "Republic of Ballarò", an outlaw area in the heart of the city, ruled by the joint venture of the Nigerian-Sicilian mafias.

It is in this context of broad public tolerance/indifference, intense criminal activity and legal-vacuum that the Nigeria-Italy transnational sexual exploitation market flourishes.

My research shows how the new "Slave Coast" (Sicily) is becoming the protagonist of an unprecedented gendered migration wave, resembling the ancient "Slave Coast", where West Africans were traded to work in the new world's American plantations. The Edo land is being largely deprived from its youngest energies for the second time in history; but contrary to the transatlantic slave trade, this 21st century slavery is paradoxically

²⁵ UNICRI, *La Tratta Delle Minorenni Nigeriane In Italia*, p. 18. UNICRI calculates 41% on the basis of the number of Nigerian sex trafficking victims who requested support in Italy ex art.18. A similar percentage, namely 39% (see Chapter 4 paragraph 4.16), can be found in the number of Nigerian offenders convicted for human trafficking out of all the foreigners convicted in Italy for the same crime (art.601 of the Italian Criminal Code). Supposedly, the real number, considered that many victims neither search for social services support nor report their traffickers to the police, is much higher. We can anyhow conclude that 41% is the ascertained minimum share of victims of HTSE of Nigerian origin in Italy. If we count the number of Nigerian HTSE victims in outdoor prostitution in Palermo, out of all the outdoor prostituted women in the city, the percentage would be as high as 60-68% (fieldwork data).

characterized and fueled by the search for freedom. The African view of abundance as a sign of God's blessing and benevolence is being transformed in some cases into the idolatry of Western wealth, to be obtained at all costs, even the loss of life itself.

The recruitment phase of the new sex slaves in Nigeria (in particular in the Edo State) is entrusted to a wide range of pastors, shopkeepers and lawyers. The offer consists in a well-paid job in caregiving or entertainment (never described in detail, *videlicet* prostitution) in Italy. After this vague offer, the girl commits herself to repay the money for the trip (debt bondage) to the "benefactor/sponsor" (the madam). Colluders of this system are the native doctors (also known as *babalawos*, witchdoctors or healers) celebrating Voodoo rituals – which use the girls' hair and nails – to seal the pact and coerce their will.

After an exploitation period in the Libyan "connection houses" (brothels) and a dangerous journey through the Mediterranean, Nigerian girls (37-46% of whom are Unaccompanied Foreign Minors²⁶) arrive on the Sicilian coasts with a burden of debt ranging from 20,000 to 80,000 euro to be repaid by "working" as prostitutes for a period that goes from 3 to 7 years²⁷. According to the UN,

²⁶ Unaccompanied Foreign Minors (hereinafter UFM), also known as separated children, are foreign nationals below the age of 18, who arrive on another State's territory unaccompanied by a family member of another adult who can protect and represent him/her.

Most reliable data on UFM is from UNODC, NAPTIP, Associazione Papa Giovanni XXIII (hereinafter APG23) which is the leading Italian NGO in outreach and protection of trafficked girls), the Italian Ministry of Justice.

According to UNODC, 1/3 of all trafficked victims at world level are children (see previously mentioned UNODC Global Report on TIP 2016). With reference to the case of Nigerian UFM exploited in Italy, the only real data (not estimate) is provided by APG23. The latter can be compared to NAPTIP data, indicating the percentage of Nigerian underage victims of transnational trafficking "with the majority of them being girls trafficked for commercial sexual exploitation". The data reported by the Ministry of Justice indicate only cases of girls who left the exploitation ring and therefore cannot be fully representative of the underground.

First data (37%) is provided by the current 24 (21 until last year as indicated in the source) outreach units of APG23.

The reported age range of underage prostituted girls is 13-17 years. See APG23 (n.d.) I numeri della tratta in Italia.

Available at <http://news.apg23.org/downloads/files/APG23_dati_tratta.pdf> [accessed 22 November 2017].

Second data (46%) is provided by NAPTIP, Nigerian National Anti-Trafficking Agency, through the University of Nigeria. See Nkememena, A. (2009) Press Coverage of Child Trafficking In Nigeria. Nsukka: University of Nigeria. p.18.

²⁷ For the quantification of the debt I cross-checked fieldwork data from key informants and expert witnesses with the following:

IOM (2007). Handbook on direct assistance for victims of trafficking. Geneva: IOM p. 46.

<http://publications.iom.int/system/files/pdf/iom_handbook_assistance.pdf>. [accessed 22 November 2017].

DDA Detention without charge (2015) Case Egwuy O Peter And Edos Osas. Proc. nr.18496/2015. Tribunal of Palermo, Italy.

UNHCR (2017) L'identificazione delle vittime di tratta tra i richiedenti protezione internazionale e procedure di referral. p. 9. <<https://www.unhcr.it/wp-content/uploads/2017/09/Vittime-di-tratta-Linee-guida-compresso.pdf>> [accessed 22 November 2017].

80% of Nigerian female migrants coming by boat are likely to be trafficked into prostitution²⁸.

As art.3 (right to integrity) of the Charter of Fundamental Rights of the European Union (a.k.a. The Nice Charter) asserts, commercializing body parts is strictly forbidden. What about commercializing human beings?

In my view, the semantic shades of expressions such as "sex market", "client", "prostitute", "sex work", intend to ideologically suggest a detachment of the human being from his/her body. My question is whether it is possible to separate a person from his/her main biological characteristic, which is sex.

I will try to reply to this question throughout my whole study trying to adopt a holistic approach to the human being. A holistic approach to the human being intends to address the human being through a multidimensional (physical, psychological, emotional, spiritual) lens which takes into consideration the common aspiration to happiness to be reached through the full enjoyment of all human rights. An analysis of the phenomenon in the light of human rights may help in considering these girls as human beings in their entirety, integrity and therefore dignity.

I believe that the Sicilian micro-reality can mirror the global scenario showing unequal wealth distribution, power asymmetries and poverty-perpetuating international policies that disguise themselves as development cooperation programs. The crosscutting belief in "money-theism", ascribable especially to capitalist countries, seems to have become the only objective and moral standard, to which human rights have to conform and, above all, which have to confirm.

I argue that it is too simplistic to say that prostitution is a choice. Can prostitution be considered as a choice whenever it entails an abuse of a rich towards a poor, a white towards a black, an adult towards an adolescent, a citizen towards a clandestine, a socially integrated towards a socially isolated, a free person towards an exploited? Does the abusive and exploitative behavior

²⁸ IOM (2017) Human Trafficking Through The Central Mediterranean Route: Data, Stories and Information. Rome: IOM. p.9. Available at <http://www.italy.iom.int/sites/default/files/news-documents/IOMReport_Trafficking.pdf> [accessed 22 November 2017].

of final exploiters result from a mere and simple caprice or from a right? If this behaviour results from a right we must admit that the rich are the only fortunate holders of human rights.

If prostitution were a choice why would it be accompanied by deception, violence, poverty and coercion? Why is prostitution in the hands of criminality in all countries regardless of legalization or prohibition?

Should we fight for the right of women to do with their body what they want? My idea is that we all have to. No doubt. For what women want. Not for what men want from them.

"Inconvenient statistics, feral facts like the average life expectancy of prostitutes, the average age of induction into prostitution, the average income of prostitutes, and so forth – hard demographics – have never disturbed those who defined the sex business as a force of liberation. The fact that the 'freedom' being realized is mostly the freedom of men to access the bodies of women and children or of G8 nations to access the markets and raw materials of Third World nations – is conveniently overlooked when predation is redefined as progress"²⁹. I fully support Clarke's view throughout my whole research.

The foundation of my argument is data gathered from statistical evidence and previous field research, cross-referenced with my own empirical evidence. The confirmation coming from all these sources is strong and very compelling.

Materials And Methods

This study was built using a triangle of different elements: official national and international statistical data, main national and international literature, and ethnographic research. A synopsis of primary and secondary sources has been cross-referenced in an attempt to take into consideration multiple perspectives.

The choice of the ethnographic research method derives from the intention to empirically explore the reality of Nigerian HTSE in Europe from an unfiltered primary source. The first-hand data and material collected during my fieldwork included audio and video recordings, photographs, diaries, letters, handwritten

²⁹ Clarke, D.A. (2004) Prostitution for everyone: Feminism, globalisation, and the 'sex' industry. In C. Stark and R. Whisnant (eds.) *Not for Sale: Feminists Resisting Prostitution and Pornography*. Melbourne: Spinifex. p.169.

autobiographies, field notes, official documents such as reports of the Territorial Commission for the Recognition of International Protection on individual hearings of asylum seekers, police reports, court judgements, medical reports. The in-depth individual face-to-face interviews were mostly open-ended and conducted whenever possible in private locations in order to get the highest level of trust and freedom. Nigerian girls were regarded as the most reliable source. Our meetings were extremely enlightening in terms of both verbal and non-verbal communication: silence on certain issues or in certain moments were also very informative. The knowledge acquired was both explicit (data, records) and tacit (experience, thinking).

The personal relationship built with Nigerian girls was the access key to their world. The interpretative approach adopted was the "sympathetic engagement" entailing the attempt to suspend any judgement and comprehend a significantly different system of thinking. Dissimilarities between the interpreter's and the alien speaker's cultural backgrounds were wiped out by the systematic application of the principle of charity (or rational accommodation) by Donald Davidson, which proposes an acceptance and broader understanding of the overall speaker's view, and goes beyond his/her linguistic utterances to attribute rationality and truth even in case of incompleteness, logical fallacy or incoherence³⁰. A "charitable" interpretation creates a favorable environment for an insightful intercultural communication based on trust, common understanding and optimization of agreement between the interpreter and the interpreted.

Participant observation was the main technique chosen in order to collect data on daily real life of what can be defined as an "urban tribe"³¹ whose internal functioning, because of the code of silence characterizing the Nigerian community, could not otherwise be disclosed. This technique is often chosen in the case of socially marginalized groups with huge cultural differences between the observed and the observer³².

³⁰ Davidson, D. (2001) *Inquiries into truth and interpretation: philosophical essays*. Oxford: Clarendon Press.

³¹ The term, indicating groups of city youngsters whose lifestyle differed from mainstream culture, was coined by the sociologist Michel Maffesoli in 1998 and used for the first time in his "Le Temps des Tribus".

³² Eriksson, P., Kovalainen, A. (2016) *Ethnographic Research*. In *Qualitative Methods in Business Research*. London: Sage.

This three-year fieldwork started at the end of 2014 and is still ongoing. It was mainly conducted in Sicily, first door of entrance to the European Union for Sub-Saharan migrants. Most data was collected in the Sicilian capital, Palermo, in the homeplaces and workplaces of Nigerian prostituted girls. The selected homeplace key area is Ballarò, a neighborhood in the historical center of Palermo hosting a Nigerian ghetto comprising more than 400 people, with a widespread presence of indoor Nigerian child prostitution. Along with Ballarò, my fieldwork was conducted in the outdoor Nigerian prostitution workplaces of Palermo, mapped during the research: Favorita Park, Palazzina Cinese, Train Station, Port area. Social network virtual places were also an object of investigation.

Part of my fieldwork took place in Verstebro, the red light district of Copenhagen where a second-hand market of older Nigerian girls previously exploited in Italy seems to have been set up.

The number of people interviewed as part of this study is 270. Their nationality is 84% Nigerian, 10% Italian, 1% Ghanaian (whose prostitution methods differ very much from the Nigerian), 1% Romanian, 1% Morocco, 1% Spanish, 1% Danish, 1% Swedish.

The data-gathering work was conducted categorizing people into 3 groups: key informants, expert witnesses and participants. The first 2 groups are the ones whose information has been regarded as the most significant for the formulation of the conclusions of this study. Participants were consulted to complete and at times confirm or confute the information provided by the first 2 groups.

Key informants (all of Nigerian origin):

- Underage Prostituted, Adult Prostituted, Convicted Madams, Minors Living In Reception Centers, Prostitution Survivors.

Expert Witnesses (mainly of Italian but also of Danish, Swedish, Spanish and Nigerian origin):

- Policemen, Judges, Doctors, Social Workers, Lawyers, International Organizations Professionals, Academics, Cultural Mediators, Community Workers, Pastors, Outreach Street Team, Members Of The Association Of Nigerians In Sicily.

Participants (various nationalities):

- Prostitutes from Italy as well as of other nationalities living in Palermo; Nigerian drug-dealers; Nigerian adults living in reception centers; Nigerian Ngos members resident in Palermo (Donne di Benin City, Pellegrino della Terra); Nigerian people resident in Palermo, including a number of shopkeepers; Nigerian migrants upon disembarkation.

Terminology and Ideology

Before coming to the core of the research, a clarification on the terms that will be used in this research is due. Chimamada Ngozi Adichie is a renowned Nigerian feminist and writer. Her *monito* illustrates the point: “Teach her to question language. Language is the repository of our prejudices, our beliefs, our assumptions.”³³

The terminology used in this investigation will pay much attention to the link between semantics and ideologies in order to dismantle the social construction of the “sex worker”. If we deepen the issue of word choice in the light of corpus linguistics, including denotation and connotation, we will discover the extent to which any “sex-related discourse” is permeating our language and therefore our minds.

As members of a capitalist society, we should be very familiar with all the linguistic manipulations used by powerful lobbies through the media. Namely, whenever any social phenomenon or problem must become invisible so that people ignore it, forget about it, or normalize its existence, all its corpus linguistics change. It is not clear whether it is language that connotes ideas or the other way around.

Words are today the most powerful weapon of mass destruction, for they

³³ Adichie, C.N. (2017). *Dear Ijeawele, or A Feminist Manifesto in Fifteen Suggestions*. New York: Alfred Knopf. Adichie's masterpiece is a little essay book “We should all be feminists” which is a must in all Swedish high schools. Every student aged 16 receives it with the support of UNA (United Nations Associations) - Sweden.

slowly and silently manipulate our minds, influence our way of thinking and make us jump to conclusions which might be fudged. That explains the contemporary power of media, able to erode and even destroy any evident truth through linguistic sophisms. We cannot say that ours is a secular society anymore. On the contrary, to my eye, we have become a very dogmatic society. The manipulation of our minds by the dominant power interests has reached the point of control mechanisms to convince us that the most inhuman actions are the unavoidable answer to *ad hoc* constructed problems. Playing on our fear and sufferings they convey inhuman messages that we lazily accept, often renouncing the tiresome work of questioning what we are taught. As Chomsky says referring to the media.

"This mask of balance and objectivity is a crucial part of the propaganda function. In fact, they actually go beyond that. They try to present themselves as adversarial to power, as subversive, digging away at powerful institutions and undermining them. The academic profession plays along with this game³⁴.

Hence, throughout this work, the term prostitute is replaced by "prostituted". The past participle shows that girls are not choosing to be prostitutes but they are rather prostituted by someone or something else.

For, in calling girls and women prostitutes, we are actually making a specific linguistic operation. We are labeling who they are by what they are forced to do, and this label has an inherently derogative meaning or connotation. Thus, behind the decision to simply call them "girls" in this research, lies the idea that these human beings cannot be described by what they are forced to do. Anybody else, before being a professor or an electrician (characterization through a job), a prisoner or a hero (characterization through moral judgement), a friend or a stranger (characterization through relationship), is first of all a human being, worthy of not being connoted by what he/she does whether positively or negatively.

Instead, this thesis will refer to prostituted girls as being "on the road", or "doing prostitution" – terms they themselves use to define their situation. The

³⁴ Chomsky, N. and Barsamian, D. (16 June 1993). *Media, Knowledge, and Objectivity. Keeping the Rabble in Line*. Monroe, ME: Common Courage Press. p.106 .

term "work" will be used sparingly, and only to avoid misunderstandings when it is necessary to simplify what is being illustrated.

There is no shortage of pejorative and insulting words for the term "prostitute" in Italian or in any other language. Nigerian girls feel very hurt whenever they are referred to by the term "prostitute" or any of its synonyms. Some even react violently against whoever dares to refer to them this way. This underscores the rationale made above – a girl is not a "prostitute", she has been prostituted.

It is interesting to know that they call their vagina "the private part", because according to their traditions that part of the body is not to be exposed to anyone other than their legitimate husband.

The term "sex work" is ideologically based on the philosophy that sex is an object of shopping, and that exploitation can be considered as a "job". However, this understanding is not coherent with the results of my research, notably the fact that the girls themselves repeatedly stress that "this is not work"³⁵. The prostitution-as-choice literature tackles prostitution as an empowering activity³⁶ and defines as "migrant sex workers" people who are offended by this label. Hence, in order to show respect to this very special part of the migrant population, their human right to be simply considered as persons will be seriously taken into consideration, first of all – but not only -in the simplest dimension of language.

In addition, to the term "prostitute", there are others that are similarly problematic, to say the least. The capitalist business-centered terminology gives the name of "client" to a sex buyer, who is also widely called a "John", or "sex-addict". In the context of my research the use of the term "client" might induce one to believe that it is ethically acceptable to buy another person's body, or use it for the satisfaction of a personal sexual desire or pleasure³⁷. I believe that buying sexual performances from a considerably younger woman

³⁵ See par.1.11, statements by Mimi, Nigerian prostituted girl.

³⁶ See Agustín, L. M. (2007), *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*, London, Zed, and Kempadoo, K. (2001) *Women of Color and the Global Sex Trade: Transnational Feminist Perspectives*. *Meridians: Feminism, Race, Transnationalism*, 1 (2): 28- 51.

³⁷ Vigliani, R. (2011) *La questione prostituzionale. Smettiamo di chiamarlo cliente*. Turin: Seneca.

who is a foreigner and has been entrapped into "selling" this sexual performance entails degrading the human body to a merchandise. For this reason, "clients" are referred to here by a more accurate label: final exploiter. Because that individual de facto behaves as such.

It must be acknowledged that the terms "victim" and "slavery" are deemed problematic by some authors. The use of the word "victim" is considered by part of current literature to be demeaning and detrimental to the dignity of the person and of her "agency", while the exploitation to which a girl surrenders due to coercion or poverty reasons is not considered equally demeaning. In parallel, the term "slavery" has also been recently banned because it is detrimental to the "agency" too. Without victims and slaves there are no oppressors or slave owners: a smart and cultured rhetorical construction bearing catastrophic consequences to the concrete lives of the prostituted.

In my view, the terminology used in the prostitution policy debate bears thought-provoking historical reminiscences of slavery and of the fight to abolish this institution or to find justifications to keep it and regulate it.

On the other hand, I want to recover a very debated word: "dignity". The semantic statute of this word is considered to be uncertain. While it is asserted that violation of dignity are normally intuitively recognizable (e.g.: inhuman or degrading treatment), it remains debated what "dignity" means. Nevertheless, this word is used in national constitutions as well as in several international and regional texts and treaties such as the Universal Declaration of Human Rights (1948), the Geneva Conventions (1949), the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the International Covenant on Economic, Social and Cultural Rights (1966), the International Covenant on Civil and Political Rights (1976), the Convention on the Elimination of All Forms of Discrimination against Women (1979), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989), the EU Charter of Fundamental Rights (2000).

Due to the uncertain or vague semantic status, this word is all too often ignored or even banned with the same vehemence of a nuclear war. The dignity of the person *per se*, according to international law, is a priority and the premise of most treaties; therefore it is legally to be regarded as a prominent value whenever compared to any kind of work, be it sexual of another nature³⁸.

Let me make a few last terminological notes. Nigerian girls differentiate their workplaces into “bush” (green areas such as Favorita in Palermo) and town (urban areas).

The expression “trade/trafficking of human beings” is strongly preferred to the alternative “sex market” because the semantic nuances of the latter are not consistent with the outcome of this research. As this thesis demonstrates, it is impossible to detach the performance sexual acts from the person who performs them, and it is very misleading to suggest one can be disassociated from the other. Unlike costume jewelry, which can easily be purchased and discarded, sex is fundamentally connected to the brain and to feelings, as the psychological sciences have repeatedly shown¹. We are all in-dividuals, from Latin *indiv?us* ‘indivisible’. Synecdoche can only be a figure of speech, inapplicable to the still incomplete definition of the profound essence and nature of the word “human”.. As I will illustrate in chapters 3 and 6, the the possibility of anesthetizing ourselves exists, along with the dramatic consequences of a split self.

Thesis Structure: The Road to Freedom

The thesis is structured into six chapters, chronologically mirroring the stages of this three-year research: from making first contacts with the girls to efforts to support them in their search for justice and protection. The idea is to let the reader follow the researcher's footsteps retracing the same trail of discovery, followed by and in-depth analysis.

The first chapter invites the reader to get to know the unfiltered rough reality of exploited girls through their own voices, stimulating the reader’s own free

³⁸ A labor rights approach with reference to prostitution is encouraged by, Laura Agustin in *Sex at the Margins*, and Kemala Kempadoo in *Trafficking and Prostitution Reconsidered*.

thinking, without yet being presented with the author's view.

The process of proximization to the girls through the participation in the Mobile Unit night and day time activities (chapter one on the girls' autobiographies) made possible an investigation of their past and present situations (chapter two on recruitment in Nigeria and chapter three on prostitution in Sicily) and the establishment of friendships based on a strong trust. The creation of such a conducive environment paved the way to the disclosure not only to the wide variety of institutional, physical, sexual and psychological violence and abuses to which these girls are exposed on a daily basis, but also to the identification of huge pockets of corruption and to the many structural cultural, legal and organizational gaps that – either deliberately or unintentionally – functionally support the objectives of organized crime. The girls' demand for a full recognition of their dignity and freedom leads to the search for effective legal instruments (chapter four on prosecution) and logistical solutions (chapter five on protection).

The core chapters ((two, three, four and five) are structured in a parallel way. They are all organized around four main blocks: (A) the legal framework³⁹, (B) the institutional/policy framework, (C) practice, and (D) concerns. Blocks A and B are subdivided into international, European and national (Italy and Nigeria) sections.

Chapter six intends to present the epistemological results of the investigation, consisting in a proposed methodology that offers instruments that could be applied to similar studies, and addresses the inscrutable complexity of human behavior.

³⁹ Legal Framework, hereinafter abbreviated as LF.

CHAPTER 1

THE GIRLS' VOICES: FACT-FINDING

Nigerian Girls' Autobiographies

"When you are studying any matter, or considering any philosophy, ask yourself only what are the facts and what is the truth that the facts bear out. Never let yourself be diverted either by what you wish to believe, or by what you think would have beneficent social effects if it were believed. But look only, and solely, at what are the facts."

Bertand Russell⁴⁰

About the stories: sex workers or prostituted?

Due to an unshakable belief in the truth expressed by Bertrand Russell's words quoted above, my research begins with a fact finding investigation. In the following paragraphs I entirely report real life stories. They are written/narrated by Nigerian girls (the reader will decide how to label them: sex workers or prostituted) who escaped the sexual exploitation racket, whom I have personally known during my fieldwork. The stories are reported in their entirety without additions, omissions, or corrections, not even in case of grammatical and spelling mistakes, which do occur at times. The reason why I decided not to modify nor correct the girl's writings⁴¹ in order to resemble a more proper British English, is that the girls' language, Nigerian Pidgin English, can work as a tool allowing us to better understand their viewpoints and capture images of their local culture. As Chimamanda Ngozi Adichie, popular Nigerian feminist affirms: "stories matter"⁴². I believe she has got a point.

⁴⁰ Russel, B. (1959) Face to Face Interview. BBC. [video] <<https://www.youtube.com/watch?v=1bZv3pSaLtY>> [Accessed 7 July 2017].

⁴¹ Nothing has been modified with the exception of names of both Nigerian and Italian people, replaced by invented ones for privacy and security reasons.

⁴² Adichie, C. N.(2009) *The danger of a single story*. In TED Global 2009. New York: TED.

We can find in these stories both the experience of the deceived, who was coming to Italy dreaming about a hairdresser's salon, and of the explorer, who perfectly knew that prostitution would have been the job offer. Moreover, we have the abducted, who did not even intend to travel anywhere and did not have any idea about the existence of countries different from her own.

The graduate student next to the illiterate are able to communicate in the same way the intensity of their struggle for dignity and survival, their inner material and spiritual search for a meaningful and joyful life and for the very sense of life itself. They have a lot in common as regards sexual and psychological violence, oath-taking, abuse, disappointment, indebtedness, suffering and courage. At the same time, they reflect the polyhedric shades, complexity, beauty and uniqueness of the life of each human being.

1.1 Life story of Ifunanya: how music saved my life

Handwritten on 20 September 2016 by Ifunanya in Palermo, Ballarò.

Ifunanya comes from a polygamous family and has 42 step-brothers and step-sisters. She is now heading a self-help group for fellow girls trapped in sexual exploitation⁴³.

"My names are Ifunanya Kwento Binitubo, I was born on the 31st of December 1995 in Benin City, Edo State, Nigeria. I am also a native of Benin, I came from a polygamous home but between my father and mother I was the second born out of five, two girls and three boys making me to have one elder sister and three younger brothers.

At the age of 15, my parents got separated, my mum moved to Port-Harcourt while we all remained with our father, we lived with our father for about four months before he told us he was going to bring in another wife, we all agreed thinking it was a good idea but never knew it was the beginning of our problems, for the first two month that my father wife came, she was nice to us but that soon change after two months passes.

<https://www.ted.com/talks/chimamanda_adichie_the_danger_of_a_single_story/transcript> [Accessed 7 July 2017].

⁴³ Source: fieldwork data. See Annex I, Reference nr. 11, Ifunanya 2016.

I can't explain what we all went through in the hands of my stepmother, she beats us at any opportunity she has. My father always kept quiet saying she was training us in a good way.

After some time my elder sister left, we all thought she went missing but later found out that she ran away because she couldn't stand the maltreatment anymore. My mother came to find out after how our step mother was maltreating us, she threaten to take us away if it continues, my dad promise that it will stop saying we are the cause, but that didn't stop anything. Two months after my mum went back to Port-Harcourt, I ran away from the house and went to meet one of my step brother called Abraham, he was the first son of my mother because my mother had two sons in her first marriage.

Abraham kept me in his house for about two weeks before my mum sent I and my three younger brothers but one of us refuse to go, the fourth born called Silvan, saying he wants to be with my dad.

The three of us went to Port-Harcourt and stayed with my mother and her new husband.

On the 12 of February 2012 my step elder brother Abraham died, that same night my mum entered into labour because she was pregnant, she was reach to the hospital but unfortunately the baby didn't survive, my mother became sick and on the 1st of March 2012 she also died, we couldn't stay with our stepfather so we returned to our dad and this time, with no one to speak for us, the maltreatment increased.

After two months I also left the house to stay with my elder sister Emily and her friend Kate. From there I started working in a restaurant that was where I met Jason, who later got me pregnant and I refused to abort the pregnancy, he invited me to his apartment and prepare a dish for me, I ate not knowing the food was drugged with abortion medicine. I was reached to the hospital after I almost died at home. I spend up to two weeks in the hospital, I was discharged and was taken to Kate's mother house to stay because both my sister and her friend always goes to work and they both need someone to keep an eye on me.

It was at Kate mother's place that a woman who live in the same street came to meet us one afternoon asking if we like to go to Italy, we all agree but later told that just two of us are needed, so my sister stayed back because she will also love to keep an eye on my younger ones, after our oath taking we set out on our journey, we were both told we will pay the sum of 33 thousand euro to the lady we are to meet in Italy, and also was told the kind of job we are to do.

Our bus left Benin City in the afternoon by 2 pm and arrived in Sokoto the next day morning, from there at noon we cross the border of Nigeria and entered Niger, in the evening of the same day we left Niger by bus and arrived at Agadez the next day morning which was on Monday, I don't remember the date, the following Monday we start our journey into the desert, we stayed one week in Agadez. We traveled through the desert with an ILOS⁴⁴ and spend 4 days in the desert. We arrived at Sebha (Libya) and I was taken to a camp where we stayed for 2 weeks before moving to Tripoli and was taken to a living house, there I and my friend Kate met Emmanuel who took us as his sisters, we spent another 3 weeks in Tripoli before moving to a camp, we were told by the owner of the living house to change our name and date of birth. I was told to tell the Italians that my name is Jennifer Green and that I was born August 5, 1991. We spent 2 days in the camp before we were taken to the sea where we all entered the boat, we spent 2 nights in the sea and was rescued at the early hour of a new day and was taken to Lampedusa. It was 2013.

In Lampedusa, Emmanuel, me and Kate made an agreement that Emmanuel is my husband and Kate his sister so that we all will be taken to the same place. I was asked my name and date of birth but I forgot the date of birth I was asked to say, so I wrote 31 December 1992 and my name to Ifunanya Kwento Emmanuel, the month and day of my birth was true but the year wasn't. We were later transferred to Mineo Camp where we met 2 men by name John and Frank who said they were sent by the lady we are to pay to watch over us.

After 2 weeks in Mineo Camp we were asked to go and meet the lady but we

⁴⁴ "Ilos" stands for Toyota Hilux, a solid 4x4 pickup truck used to cross the Sahara desert from Agadez through Dirkou to Sabha.

will leave the camp through the fence, we ask why but were told that we shouldn't mark out that it wasn't a good idea and we also submitted our badge to them and jumped the fence but they lied to us because we didn't come back to Mineo Camp, we met the lady in Catania and later knew her by the name, Esther, we beg to return to the camp but was denied so the next day we were taken to the street at Catania called Lentini Road to start the prostitution, I felt disappointed because it wasn't how I was told and I regretted coming to Italy. Esther left Catania because she doesn't stay there, I learnt she stays in Torino but comes once in 2 weeks to collect money from me and my friends. After about 5 to 6 months I became sick, my menstruation wasn't flowing well and I started feeling sharp pain in my stomach, I was taken to the hospital to see her doctor who prescribed drugs for me saying it was an infection, I bought and took the drugs but yet nothing stopped.

After some months I later told a friend of mine called Victoria who also work on the street. She was the one that took me to her doctor who later found out the cause of my problem but we did all that without Esther knowing. After almost 7 months of different tests I was told that due to the circumstances of my abortion that some particles was not properly cleaned and it has formed something in the position of my womb and was later asked to be operated which I refused because I was scared and also the doctor ask that I change my work because it was not good for my health. I couldn't tell my boss⁴⁵ because she will not agree and I have already given her 21,680 euro within 2 years and some months, so my friend Victoria adviced me to follow her to Palermo which I agree. I called my boss and told her the new development. She wasn't happy with it but I promise to continue paying her every month and I left Catania with Victoria to Palermo. My friend Victoria and I were living with her sister at Piazza Indipendenza, via Colonna Rotta, after about some weeks my boss started calling me for her money. I told her I wasn't going to work and about my situation but she didn't want to listen, she even went ahead to call my other stepbrother Mark and my sister. The issue was really causing a lot of problems, so I forced myself and started going to the street in via Roma area (via

⁴⁵ The madam is considered as an employer.

Garibaldi). My sickness was getting worse but I just couldn't stop because I had to pay my boss and I was also afraid of the oath I took.

One day I met Emmanuel at a supermarket close to the Tribunal where I wanted to buy something, we exchanged numbers and later talked on the phone and I explained everything to him. He promised to help which he did. He asked I move in with him and his cousin called Anita, it was a 2 room apartment. Both were occupying one room and the other was occupied by another girl whose document was on the contract. I stop going to the street and started following Anita and Emmanuel to Messina to ask for money in front of a supermarket. Eva again started calling for money but this time Emmanuel told her that he could love to see her which she agreed. She fixed a date and on that day Emmanuel and I went to Catania to meet her. Emmanuel explain to her my situation and told her that I can't continue the payment. She got really angry and promised to deal with me. I was scared by her words but Emmanuel gave me the assurance that nothing will happen and truly nothing did because I didn't hear from her after that.

Emmanuel later took me and Anita to see a lawyer called Maria Cuffaro for document, she told us that we are going to pay. I was to pay 1.000 euro while Anita was to pay 800 euro. She also told us not to worry about the story we will use. That it will be arranged by her assistant, an African French-speaking boy. We payed her 100 euro each that day and as she said the story was given to us but everything about the story was not true. I was to lie that I lived in the north and that my parent was killed during Boko Haram war and I have lost contact with my younger one. That I spent 2 years in Libya. And also she was payed another 100 euro each for helping us to write "ospitalità"⁴⁶ because the girl that has the document in the house we were staying travelled. I later told her about my illness and she took me to see a doctor at Policlinico⁴⁷. The doctor was called dott.ssa Toscano. She said she will use my medical report to also be added to my story. I was asked to get ready to go to Questura⁴⁸ with her (the lawyer's) assistant but not before I payed another 150 euro to he. But

⁴⁶ A document indicating the permanent residence address; very often it is fake.

⁴⁷ The University hospital in Palermo

⁴⁸ Provincial Police Headquarters

when I and her assistant got there the document we had was not complete because the “ospitalità” was not stamped and we were asked to come back on the 30th of September 2015. But before the 30th of September I stopped going to the lawyer because she requested for another 200 euro that I have to give her before the day arrived and I couldn't get the money. I wanted to borrow but was advised by some friends to stop going to her because I will get affected during the day of questioning⁴⁹ because of the story.

But I didn't stop going to the hospital. Anita later left to Firenze and Emmanuel relocated to via Oreto to stay with his younger sister who rented an apartment (mama of Max) and I was also allowed to stay with them. I continued going to Messina to look for money. It was on a fateful Sunday that I met Miriam, she came with Sylvester to my church where I am a chorister. She introduced a lot of things to us but I was interested in music. So she later introduced me to Anna. I later told them my story and since then I have been living with Anna and they have been helping me in changing my life.”

1.2 Life story of Abigail: my client-saviour

Narrated by Abigail (illiterate) and transcribed by Ifunanya on 10 October 2016 in Palermo, Ballarò⁵⁰.

“My name is Abigail Austin. I was born August 28, 1996. I was born and brought up in Benin City, Edo State, Nigeria. I was 5 years old when I lost my parents. From what I was told they were involved in an accident. I was also told that after the death of my parents my relatives refused to take me in, because they were against the marriage of my parents so I was left in the care of my mother's best friend named Mrs Linda Obioye, who agree to take me in.

Mrs Linda Obioye whom I called auntie, is married and has 2 girls and a boy are all older than me. All through my stay in aunty Linda's house was hell. I wasn't given the privilege to go to school. I ended my education in primary six because my auntie and her husband refused to further my education. I was to hawk fruits around the city of Benin.

The saddest part of my life started on the night of December 26, 2013. I

⁴⁹ The day of hearing at the Territorial Commission for Asylum

⁵⁰ Source: fieldwork data. See Annex I, Reference nr. 17, Abigail 2016.

was 17 years old. Auntie Rita and her husband travelled leaving just me and her last born son called Kingsley who came back from the university to spend his holiday at home. The other 2 daughters didn't come home that night. He forcefully took advantage of me and threatened to kill me if I tell anybody. But he didn't stop there. He constantly came to my room to have his way with me⁵¹. I couldn't tell anyone because there was no one to talk so I had to endure. Sooner my auntie's husband also starting having his own way with me. This time I wanted to tell my aunty but I was scared because I don't want her to feel I want to destroy her home and beside she won't believe me that was how they both started having their way with me and this went on for almost 9 months.

On the 15th of September 2014 I was again home alone. I was asleep when Kingsley came into my room with his friend. I thought he has come to rape me again but I was wrong. He left the room leaving just me and his friend who also wanted to have his way with me. Out of defense I used the bottle of beer which he brought into my room and placed on the floor. I took it and hit him on his head. He fell and didn't wake up. Out of fear I ran out of the house through the backdoor. Up till now I don't know if he is alive or dead.

I spent the night in a mechanic shop. It was in the morning that the owner of the shop came and woke me up. I explained everything to him so he offered to help me which he did. He took me to his house he was unmarried and I spent up to 2 months with him.

One day he told me that we will be traveling he didn't tell me where we were going I didn't ask questions I just followed him I can't say how long our journey was but we later arrived in his friend's place. I didn't know where it was but everyone dress in a Muslim way. I though we are in the north but I didn't know that we were not in Nigeria. I know we spent up to a week at his friend's house before we started our journey into a place. I later found out it was desert it was a one week journey and we arrived in a big city where he took me to another of his friends' place but this time a lady. It was when I got there he told me I was in Libya . At that time I have never heard about Libya.

⁵¹ Rape.

He left me there, after 2 days but promised to come back which he never did. I didn't know he had sold me to the lady for prostitution and all my money goes to the lady. We call her Mama Vanessa I met a man named Mohammed he is a Ghanian and a muslim. He offered to help me cross to Italy but I have to pay for the crossing which was 500 dinars. I use another 2 months to raise the money with Mama Vanessa knowing.

When I finally completed the money made an escape with Mohammed. We both stayed in a camp for almost 5 days before we were taken to the sea to cross. We spent one night in the sea before we were rescued by the Italian boat. I arrived in Italy on the 2nd of July 2015. I don't know the name of the place where I was but I spent 2 days there before I left with Mohammed and came down to Palermo and was staying with him and his friend named Solomon at Via Colonna Rotta. Both leave the house in the morning and come back in the evening. I don't know what he does but he was taking care of my needs, little by little we became dating.

I met Jasmine in that same house. She was my neighbor, we became friends and I also told her my story and she told me hers. Mohammed started asking that I get pregnant so we would give birth and use the baby to have document which I refused because on that day he later told me to go and work in the street, which I also refused. I told Jasmine about it and she advised me to follow her to Messina to beg for money. I agreed and went with her. It was when I arrived in Messina that Mohammed and I took the train to Palermo which means my camp may be in Messina. I kept following Jasmine to Messina without Mohammed knowing because he will be angry if he found out but he later did and was really angry with me and started beating me. I was rescued that day by David, Jasmine and Akon. Mohammed threw my things out and also accused David of sleeping with me. They took me in and I started staying with them. He later went to Via Oreto. I met John in January 2016 and we have been together till now. David, Jasmine, Akon and I stayed together till October 2016. David traveled and Jasmine also left to stay with her friend so John (Giovanni, a boy from Palermo) help me in finding a one room for me to stay. And John has been the one helping me with everything.

Blessing's male Nigerian trafficker keeps calling, asking for "his money" and threatening her, until mid-2015, from Sweden, where he holds the status of refugee. In the meantime his wife, Blessing's madam, flies back to Nigeria.

In May 2015 Blessing reports her story to the police of Palermo and is hosted in a shelter for victims of human trafficking in a town of the same province. In this shelter she is alone most of the time, operators do not speak English and she keeps coming back and forth from Palermo to overcome loneliness. In 2 years her Italian language skills do not improve and she neither receives training of any kind, nor she is given any psychological support. She has lived in a limbo for 2 years. Since then (May 2015) she has also been waiting for her document and investigations are still ongoing. In the last months of 2017 she moves to another shelter in the Sicilian Region.

(transcript)

"My dream in Italy is that I wish to be a lawyer but I'm saying my dream went away so when I arrived there I called the person who is bringing us, a man, the head of the traveling.

I called and told him I'm already arrived in Italy so he calls the madam and give him my number, the number I used to call them. So, after that, the madam started to call me and I did surprise to know that the madam lives in the same city where my camp is.

"So you need to do the prostitute! You need to give me my money". "How much is your money?". "35.000 euro". He spend a lot of money for me and the money is like he do a business and he is going to get a profit. Without the 35,000 he will kill me which Italians call juju or voodoo.

My first day when I start working in the prostitution it was terrible. When I went home I cried, cried, cried but I don't have any option. The madam that bring me say "tell them your age is 18 or your age is 19 years". If the Italian know we are 16 or 17 years they will keep us in a safe place, they won't let us to go out. If I go to the street and I don't bring money home she beat me and I don't sleep. The only time I never worked in the house is when he traveled and her husband. This Europe I don't advise someone even in the flight, in the land, I don't advise anybody to come to Europe even to educate, to study, because

Nigerians don't speak Italian and Italian don't speak English. They can't come to here to go to school unless they have Italian. It's only prostitution they came here to do”.

1.4 Life story of Favour: a child sold by her own mum

Transcript of 4 recordings: 1 video in Palermo (Addaura) 3 Audio in emergency shelters⁵⁴.

Favour, from Benin City, is illiterate. After a month from her arrival in Sicily (December 2015), she starts “doing prostitution” in Palermo, Palazzina Cinese, under the supervision of another Nigerian senior sister, Velma, who is still controlling girls every night in the same place.

She leaves street-work after the first contacts with the Mobile Outreach Unit. She then reports her story to the headquarters of the police in Palermo and consigns her telephone to the policemen who inadvertently break the sim card in the attempt to remove it from the phone, making it unreadable. The report has not been given any follow up, to date, because of a lack of evidence, probably caused by the loss of data contained in the sim card. Favour is not given any document and is told to wait. She is still waiting after almost 2 years.

In the meantime she changes 4 shelters (out of which 2 “specialized” in the care of victims of human trafficking). The 4th shelter sends her away. She claims that she feels in prison, “like in Libya”. On the same day she is sent away and given a train ticket she is unable to read, she is raped at Bologna Train Station by a black man who pretends to be willing to help her and takes advantage of her illiteracy. This episode happens on the same day she is thrown away from the last shelter. She then goes back to street-work in Belluno, gets pregnant and decides on an abortion. A Nigerian man brings her to Calabria (Rosarno) where she is exploited to pick up tomatoes for few euros a day and given a fake full-time contract by her employer, Marta Giuffrè, living in Policoro (Matera). When she realizes that the contract is fake she escapes to Padova, asks for international protection and gets it.

⁵⁴ Source: fieldwork data. See Annex I, References nr. 7 and 8, Favour 2016.

Favour moves to Cuneo, where she actually lives, and is about to deliver a baby. Her Nigerian husband who has reached Italy this year absolutely wanted her to be pregnant as soon as possible, which would grant him a permit of stay as a father of a minor. He has done the interview with the Territorial Commission in Cagliari in order to get international protection in October 2017. Both of them are now hosted by Associazione Papa Giovanni XXIII in Saluzzo (Cuneo).

"My mum is not good. When I was 8 she sent me to a house for lesbians (a *brothel*) in Benin City to get money for her and my stepbrothers. They go to college. I never go to school. I don't know even letters. My child Justina is with my mum.

Do you know witches? Witches are inside the water. They live their life inside the water. They have power to kill, bless somebody to be rich. They have many powers. The native doctor has also power to kill. When I was coming, when the BOGA⁵⁵ that bring me to Libya the one I was paying to in Libya he collected my finger my hair and the hair of my armpit so he take it along to Nigeria⁵⁶.

From Nigeria we enter border, the police they know we are going to Europe. They took us to desert, Niger. From Agadez we took Ilos to Libya. Boga bring me to a house in Tripoli and leave me with the woman (a *brothel*). He go to Nigeria all the time. I worked at the woman's house and paid 250. A Ghanian boy helped me run away to reach the promised land⁵⁷. I don't know how to speak Italy. They speak about Palermo and Torino in Nigeria and in Libya. I run away from the camp (Agrigento), they say I should go to Palermo to a friend of my friend. A woman pick me up at the Train Station and we went to Ballarò to a shop of African food and parrucca⁵⁸. The owner of the shop asked me if I just arrived in Italy and if I have a document. She called Velma and say I go to work with her. The woman of the shop say I pay her 100 euro every month,

⁵⁵ Boga is a common name for trafficker. IOM identifies him as the male version of the madam or as a person accompanying the girl to the traffickers' place. See IOM. *La Tratta Di Esseri Umani Attraverso La Rotta Del Mediterraneo Centrale: Dati, Storie E Informazioni Raccolte Dall'organizzazione Internazionale Per Le Migrazioni*. Available at <http://www.italy.iom.int/sites/default/files/news-documents/RAPPORTO_OIM_Vittime_di_tratta_0.pdf> [accessed 22 November 2017], p.7.

⁵⁶ She is describing the juju ritual.

⁵⁷ Italy.

⁵⁸ Parrucca is the Italian word for wig.

she is the owner⁵⁹ of the place⁶⁰.

I go to the street with Velma and other girls. We go by bus from the Train Station.

I'm afraid that they take me back to Nigeria. That was the fear that I had. I was afraid when I was going out in that place. And not only in that place (prostitution "workplace"). If I want to go to a shop maybe police will ask me where is my document if I don't have document they take me back to Nigeria. I don't want to go back to Nigeria. I was also afraid of some bads boys like the other day when they come to that place they are looking for people they want to beat they will look for a person they will use to break her head. I stepped back. They threw a bottle but the bottle did not meet her.

I made 50 euros in one week. A Nigerian brother help me send money home. I paid some money to the woman of the shop but I didn't pay her all the rent.

My brother⁶¹ say there is a good lawyer, his name is Ali⁶².

1.5 Life story of Annabelle: from skid row to university

Annabelle comes from Nigeria - Delta State and speaks Urhobo⁶³. Her daughter, born in 1999 (when she was 13), lives in Delta State together with Annabelle's sister. In 2008, a criminal organization of the Niger Delta devoted to trafficking in human beings for sexual exploitation targets her. Victim of violence and threats (voodoo rites) she is immediately transferred to Italy. Only during the journey, as it happens to many women in their own situation, she discovers that she has contracted a debt of 35,000 euros unknowingly. Once in Italy, she is repeatedly contacted by members of the criminal organization present in the territory who summons her to leave the reception center of Monreale where she is hosted and announce that they would send someone to collect her. Only then, does Annabelle understand that she is

⁵⁹ Rent for the sidewalk that prostituted women must pay to the criminal organizations. In Italian it is called pizzo, in English it is often referred to as joint.

⁶⁰ The woman pretends to be the owner of Palazzina Cinese, a public monument, in order to extort a monthly payment for the rent of the sidewalk called in Sicilian "pizzo".

⁶¹ Any other Nigerian is called brother because of the common nationality, though he is not a blood brother.

⁶² Italian Lawyer who uses an Arab name which can be more easily remembered by his clients.

⁶³ Source: fieldwork data. See Annex I, Reference nr. 4, Annabelle 2015.

destined to the prostitution market in Italy. Then she throws away the sim card from her phone and decides to become unreachable, despite the strong concern for her family being also threatened in the country of origin.

Fear was such that, during the audition at the Territorial Commission of Trapani in charge of assessing Annabelle's first asylum application presented in 2008 immediately after her arrival in Italy, she did not find the courage to tell the real story about her migration and the threats she had suffered⁶⁴.

She was condemned for drug-trafficking but exonerated from conviction thanks to a permanent contract as cleaner and the recognition of the refugee status. She got a scholarship and enrolled at the University of Bologna in the faculty of communication sciences.

TRANSCRIPT

I would like to talk about how I came to Italy. I met that person in Lagos because I had problems with my husbands' relatives. I was working with this person in a restaurant. She was a woman. She told me how she could help me arrive in Italy. This lady gave me the name of a person in Benin telling me it was a woman. But when I arrived in Benin to that address there was a man; his name was Peter. He was a pastor and said he had a sister in Italy. He was married but in his house there were other girls living with him, who were also going to Italy. This pastor contacted his sister, Stella, and told me he would have helped me but I would have had to give her some money. Peter took some part of our bodies for the juju: nails, hair, pubic hair, so that in case we didn't pay he would have taken revenge on us. After having spent 2 weeks at the pastor's home he brought us to the hospital to give us injections in order not to get pregnant. Then, he had sexual intercourses with the 4 of us girls, saying it was part of the pact. He put us in the hands of another man (I think his name was Vincent) to bring us to Italy.

We travelled by bus to Lagos and from there we entered the Republic of Benin on foot. From there we rid a bus to Niger. In some places we had to show passports in order to get in. They gave us counterfeited passports. In Agadez they put us in a kind of refugee camp where I met many other girls and boys

⁶⁴ Extracted, translated and adapted from a letter written in collaboration with the Legal Clinics of the University of Palermo to support Annabelle's second asylum request.

who also wanted to come to Italy. During our journey some men, members of a military group, the Desert Patrol, asked our traffickers some money but when it was not given to them they were raping us girls. In that period I had hemorrhage because of that injection they had made me.

We arrived in Lampedusa on 28 August 2008. From Lampedusa they put me on a plane to Palermo and accommodated for 2/3 months in a camp in Monreale, close to a church. I kept having hemorrhage. I called Mrs Stella who lives in Napoli who told me to leave that camp. I told her I couldn't because I was feeling unwell. The camps workers accompanied me to a hospital but Mrs. Stella insisted that I had to leave the camp. I got angry at her. I had menstruations even twice a month. My journey mates, the girls explained to me how the situation was in reality, what the job was about. I told Stella that at her next call I would have reported her to the police. It was in Libya that Mrs Stella told me I would have had to pay her 35.000 euro for the trip. I told her to wait as I needed to get healed. She stopped calling me but then her brother from Nigeria started to do it. He was threatening me telling me he would have killed me, he would have gone to my village in Delta State and would have killed my daughter. I changed my phone number and didn't get any more calls.

In Italy I have worked as a hairdresser. From 2010 to 2011 I went to Switzerland to ask for asylum since in Italy they had rejected my request. But in Switzerland they told me to go back to Italy as that was the country where I had already been heard. From 2012 to 2013 I worked as "badante" (caregiver) in a family.

Three months ago my cousin told me she is receiving anonymous calls from people claiming that she must go and collect some merchandise from Italy. I told my cousin I had not sent her anything. In another call she received, my cousin replied that I had not sent anything and they told her I was in debt⁶⁵.

There's nothing in this Western world that would want me wanna change my identity, I am a proud Nigerian, bad government cannot make me hate or forget the beautiful culture I grew up with, I have more African countries than

⁶⁵ They were threatening to harm her cousin because Annabelle had not paid the debt.

any other countries on my list of countries that I would like to visit.

Don't be carried away by the things you are seeing here, we are people of possibilities, we are blessed with everything, even the white people knows that, and that's why they trying to bring us down by all means, they enslaved us so many years ago, they are still doing that to us mentally till date.

No I refuse to be carried away by what was originally my, I am extremely proud that my root is from Africa, we are the smartest people in this world, we should be proud, it's not our fault that our governments are bad.

1.6 Life story of Grace: deceived by reception center's manager

Email written by Grace and sent to me on 22/12/2016. Title: Journey to Europe⁶⁶.

My name is Grace, am from a city called Lagos in Nigeria. I trade for some years in one of commercial markets where I resided. Got tired due to the insult and embarrassment people passed on me and things were not moving well in market terms because of economic recession. Reminiscing December 2014, where I met one of my course mate in a party. We felt elated and we had some conversations. During the process, she noticed that wasn't responding well. What is going on with me? she asked. I'd like to pretend for her but later, I came out of my shell. She knew as a graduate, it wouldn't be easier to be trader in commercial market. Therefore, she advised me if possible I can leave this country for another. Because so many graduates are outside there searching for a job as well. May God help us in this country 'Nigeria'. She explained how the journey would be but if only I have a strong heart. I agreed, and got introduced to her cousin's friend who is presently here in Europe. Thereafter, we arranged how to pay the fee for the trip which was three hundred and fifty thousands naira and the mobile number of the man who was in Libya. Meanwhile, she didn't tell me I would cross an ocean (Mediterranean sea) to Europe. Had it been she told me, I wouldn't have embarked on the journey.

I handled over my credit card to my friend with trust. So that, the man can

⁶⁶ Source: fieldwork data. See Annex I, Reference nr.18, Grace 2016.

get paid. And that was how I paid the man called connection man in Libya. Was given a number to contact one man in Lagos which was the man in charge of the transportation from Lagos-Kaduna. We agreed to move on 23th of January 2015 around 12:am with some people. Was also told not to take any luggage along but get something to eat on the day which I did. THE JOURNEY STARTED. The following day at evening time around 5pm we got to Kaduna and we were transferred to another men twice and were putting into a white tinted glass bus. Also, were told to keep quiet. We got to a checking point, the policemen asked the driver what he packaged in his bus and he said he had a host inside his bus which was ironically said.

In nutshell, finally we got to Italy at the seaports and it was like a dream. A lady came to address us and told us if we claim underage, they would take care of us better than we claim our normal age. So for that reason, I claimed underage while I was myopia. Well, we got the center, the operators addressed us well, and still couldn't believe am in Italy and I returned all the glory to God for a safe journey. Really, they took care of us by giving us a good food, clothes some are new while some are used one, later on they bought each and everyone of us phone but without no sim in it. We weren't allowed to go out alone. But we were allowed to call our family in our country once in a week. I started learning Italian language myself second week I got there. Because they didn't get us interpreter on time. So the one I learnt I used it to communicate and interpret for my fellow people in the center. The owner of the center got impressed and promised me to a good job under him.

1.7 Life story of Mary: saved by facebook

International protection request made at lawyer's office in May 2017⁶⁷.

Mary was born in Benin City, Edo State (Nigeria) on August 14, 1993. Tired of the violence of her father (member of a sect and devoted to witchcraft) she accepts the proposal of a stranger who promises her a job as a babysitter. Before travelling to Libya she is asked to meet a female witchdoctor named Queen who celebrates the juju ritual. Mary doesn't pay anything for her trip

⁶⁷ Source: fieldwork data. See Annex I, Reference nr. 22 and 23, Mary 2017.

and reaches Italy on April 14 2016 with the help of a woman who had previously told her, once arrived in Libya, that she will have to work for her as a prostitute. She is told to apply for international protection and then escapes from the reception center to reach Queen in Padova: there, she is lured into prostitution to repay a debt of 20,000 euro, amounting to the supposed expenses of the trip from Nigeria to Italy. In order to get a permit of stay in Italy she is assisted by a lawyer from Apulia who illegally takes money from her, despite his legal aid is sponsored by the Italian State⁶⁸, unchecked common dishonest practice among many Italian lawyers. Mary moves to Palermo and finds help in a Nigerian church where a self-help group has been setup by the joint collaboration of the Mobile Unit, the pastor and another Nigerian girl who had already left street-work. She manages to flee from her exploiter and reports everything to the police of Palermo in May 2017. Under the threat of being reported to the Bar, the Apulian lawyer refunds the girl in June 2017.

I was born and lived in Benin City, Edo State. I am a Christian, ethnic group Bini, single with no children. I attended secondary school. I was a tailor. My family is composed by my parents and my sister. My father is a freelance engineer, my mum is a shop keeper. Since the age of 10 I have lived with my father and sister who live in Benin City. My mother escaped when she discovered that my father was celebrating voodoo rituals and had another wife (who escaped too) with other 3 children.⁶⁹

A stranger called Queen, taking advantage of my condition of extreme

⁶⁸ In Italian it is called “gratuito patrocinio”.

⁶⁹ The statements in the paragraph, according to the speaker, correspond to the truth. The following would be instead the false version of the facts given to the Territorial Commission in Cagliari in order to get the asylum: “I left Nigeria on 5/1/2016 because my father tried to kill me. Previously he had attempted to rape me many times; then, one day, on 15/8/2015, he elaborated a trap to make me go to his friend's house to bring him money. His friend was not home, I called my father to inform him and he told me to wait, until 3 guys arrived and kidnapped me. They brought me to a house which was under construction and tied me up for 2 days with them. On the second day, while a little boy was passing by the neighborhood I started crying; he heard me and freed me with a hatchet bringing me to his place. I spent 2 days with him and his mother who wanted to bring me back home. I didn't want to go back home and decided to reach a friend of mine in Lagos. After a week this friend gave me the contact of another friend of hers, called J, who lives in Libya with her brother. They offered help asking for money that I didn't have. Therefore I went back to Benin City. My father was not home, I went in, took 200.000 naira and left. J's brother contacted a guy who accompanied me to Libya with other 10 people. A week after my arrival in Libya, J told me I had to work for her as a prostitute. I refused. Therefore her brother put forward the idea of Italy. I changed my naira 200 getting dinars, and they let me embark with the brother of one of his friends, who got out of my sight. I arrived in Italy on 14/4/2016. I have known that my father died and that they want to kill me because he was a member of a sect.”

poverty, offered me a job as a babysitter or hairdresser in Italy. I accepted the offer and she took a sample of my nails and hair and my used underwear telling me that if I had ever tried to escape she would have harmed me through the voodoo magic ritual, because she was paying beforehand for my trip and had to reimburse her. Queen entrusted me to another Nigerian woman, whose name I ignore, and who brought me to Libya, with other 8 people. I have stayed for 2 months in a ghetto of Tripoli called "GhanaMa" because it was managed by a Ghanian man. After these 2 months we were embarked in a rubber dinghy by Arab traffickers. We spent some time in the sea and were rescued by a big ship which disembarked us in a place near Oristano. We departed at 5 am and were rescued around 10-11.30 am. Until that time I had not paid anything. I remained in Cagliari around a month, I left the camp where I was staying in July 2016 to reach Bari. There, I should have contacted a lawyer indicated by an acquaintance: lawyer Vincenzo Agostini. I did not tell him the truth on the reasons behind my trip to Italy and the circumstances because of the presence of his collaborators and of other Nigerians during our meetings and because Queen had threatened me that if I had told the truth the Italian authorities would have repatriated me. After Bari, I moved to Padova. As soon as I arrived I called the woman called Queen who in the meantime had arrived in Italy. She reached me at the Train Station and brought me to her place, a ground floor apartment located at walking distance from the station (20 minutes). There I found other 4 girls who were living there. All of them were from Nigeria: their names are Faith, Angela, Kate, Princess. After a few days at Queen's house, I was provided with succinct clothes and told that, like all other girls, would have had to prostitute myself to repay her 20,000 euro which would be the amount she paid for my trip. Moreover, she told me that I should have paid monthly expenses such as rent (100 euro, even if the 5 of us were sharing the same room), utilities (40 euro for water, 40 for electricity) and food (50 euro to be paid weekly). Among the 5 of us, the one who was leading us to the workplace was Angela. The place where we were standing was the Venezia-Mestre road which we were reaching daily by train. We were paying the ticket by ourselves (1.50 euro). Whenever we didn't have money for

the train ticket, Queen was paying. We were all prostituting ourselves from 7 pm to 5 am of the following day, often even in public holidays. I tried to tell Queen that I didn't want to be a prostitute but she was shouting at me, threatening me and giving me no food until I gave up and went back to prostitution. I was often a victim of her violent physical aggressions. I was able to pay 400-800 euro to Queen, like all the other girls. When we were not forced to prostitute, Queen was verbally threatening us and forbidding us to have interpersonal relationships with other people.

We were allowed out of home only to go shopping and only for the strictly necessary time. Queen was checking our phones every day imposing us to receive and make phone calls only after her approval. She used to daily check our bags and personal items to see whether we were hiding money and/or we had contacts with "unwanted people". I stayed at Queen's place prostituting myself for around 5 months, from August 2016 to January 2017, when one day I was telling my story to a Nigerian girl that I found back on facebook. Her name is Dorcas; she lives in Palermo, via Roma. At the moment I know that she is in Germany. She sent me money by postepay to allow me to buy a ticket for the trip. The postepay card was the property of Rose, a girl who was prostituting herself with us but was living in another house. One day, taking advantage of Queen's absence I ran away to Palermo, where I currently live, hosted by a Nigerian woman called Becky at the address mentioned before. Queen has tried to contact me several times through unknown or anonymous phone numbers; she insisted that I pay her and that I go back to prostitution but I have refused. The Sim Cards I have, were provided by my friend Rose.

Queen is 25-30 years old and is married to a guy called Benjamin who was taking half of the money we were daily bringing home. They both use bicycles and own credit cards, Atm cards and postepay.

1.8 Life story of Jessica: the anchors of the police and the mobile unit

Narrated by Jessica on 7/3/2017 in Giulianova⁷⁰.

"My name is Jessica. I was abandoned before my birth. When my mum was

⁷⁰ Source: fieldwork data. See Annex I, Reference nr. 21, Jessica 2017.

pregnant my parents divorced. I was 7 years old when my mum abandoned me for his mum which is my grandmother. At the age of 7 I knew my dad. From there I started fighting about life I couldn't finish school because there was no money. I was struggling at the age of 7 because there was nobody to help. I never knew⁷¹ that my grandmother was not my mum. When I was at home one day a lady came in and told me "I am your mother she is your grandmother" and I said "no, I didn't believe that". At the age of 17 I was struggling for my life. I travelled to Lagos to get a job. I look for a job to put food on my table to make sure that me and my grandmother are all right. I was the first granddaughter of my parents. When I was in Lagos I travelled back to village to see my grandmother. A friend in the village asked me if I want to travel to Italy she said "I have an opportunity for you to go and everything will be easier for you". So I asked: "What kind of job am I doing in Italy?". He said: "I don't know, when you get there you see for yourself. A lady will help you". "How am I going to get this lady who is going to help me get to Italy?". So when I see the lady I decided to ask again "What kind of job am I going to do there? Because if it is prostitution I am not going". And he said "No it's not prostitution. When you get there you see that I have a good job, a good place that you can go and you can be satisfied". "Which way are we going to take, flight or land?". She said: "land".

So I asked "How many days is it going to take to go to Italy?". She said: "Just 2 days by land". I said "No problem, I just need to confront my grandmother first, so I tell her that I leave the country". Then I called my mum⁷² (grandmother) and I said: "I do it for the benefit of the future of my life".

Then he⁷³ said I am going to take an oath which is JUJU everybody knows about. Then I said: "When I get there how much am I going to pay?". He said: "30,000 euro. If you work well it is easy to pay it in 6 months". I called my grandmother and told her that I am taking the oath. He said "If you did not pay the money you will die". I said: "Ok. If I cant pay I will die". I take the oath and left. The next day I left. I was surprised we left February last year at 2

⁷¹ "I never knew" stands here for I did not know. The Nigerian pidgin uses "never" instead of "don't" or "didn't".

⁷² Grandmother.

⁷³ "He" is very often used instead of "she" and viceversa. Nigerian girls frequently use these pronouns interchangeably.

o'clock midnight to Italy. He never give me any money. We started going and entered into a desert area. On my way going I met a lot of Nigerians, a lot of guys coming to Italy. When I get there I was asking: "Why all of you go to Italy?". I get to a place called Zahra it was very dangerous, we were put in a room where nobody can come out, nobody can talk. They say we go 3 days in the desert through the "ilos". I was praying God to let me survive. Each ilo contained 100 people. 3 days: no water, no food, nothing. Until we get to a place called Sabha in Libya. There were many Nigerians: girls and guys. We don't have money to eat. We eat sometimes once in a day. Many girls were going with guys, they were doing rubbish with them just to have something to eat. I spent 4 months in Italy. I never called my parents or anybody. They took me to the seaside where they are going to prostitute me. I spent one week in the seaside waiting for a good day, we entered the boat and we spent 24 hours in the sea. Many got burned for the gasoline. Then we found the rescue. The moment I entered the ship I fainted. I never know I am in Italy. I found myself in a hospital. They were asking me lots of things. They sent me to a camp⁷⁴. I asked where am I. They say: "We are in Sicilia". The lady that was waiting already, called my people in Nigeria and say: "everybody arrived, why is she wasting time?". I called my parents and said: "I am already in Italy thank God". The lady call me that I need to come home and start work. I ask: "How am I going to leave the camp?" She say: "I am going to send you someone in Sicily to pick you. Tell the camp people you go to church. You meet the person at Train station". I left the camp I went to the Train Station in Sicilia I found a guy and said "Are you the girl? We are going to Roma". He bought the ticket and we entered the train. We departed 10 am and we arrived in Roma 10 in the evening. I never knew the lady who stays in Italy. We arrived at her house. She said "You are welcome". I sit down, I ate and he allowed me to rest for 2 days. Then she called me and said: "Are you ready to work?". I say: "Yes, Where is the shop?". I didn't know what I had to do. I met a girl and asked: "where are we going to work?". But she said: "I don't know". The next day the lady she said: "this is the regulations: you are going to pay 80 every week your

⁷⁴ Reception center.

food, 250 every month (rent). and then my money is going to be 30,000. Gas and light you are going to pay me. I said: "No problem, let me just start the work". He took me to a shopping complex. They were selling clothes shorts. I don't understand. "When am I going to use this dress?". She said: "When you work you will see". I said "No problem". He called the guy and said: "she is the one who is going to bring you to work and explain the work". So I followed the girl, we entered the bus in Casalina from there to Anagnina, then a bus to Termini and Flaminio and then Saxa Rubra then Tiburtina: that is where we are going to work. I see many Nigerian girls and I think: "Wow this place is very big, there is a lot of work". But the place was bush, there is no house in this area. Other girls were looking at me: they understood I was new. The girl say: "Calm down", "But this place is bush". "Follow me". She say I should pull my clothes.

She said to come out and stand in the road. "You need to stand, this is the job!" "If they told me this is the job I wouldn't come". I cried for the full day. I never work and I came back home. The lady called and said "You didn't work". "No, because I didn't know this is the job I am going to do".

Sometimes I am in the street full day. The lady would beat me a lot and start crying and shouting "I need you give me my money." "Madam I can't". She said: "I have no option". Sometimes I would go home with 40 euro sometimes 50 euro. She said "This is nothing". She brought a knife. I say "It's not my fault. If you want me to do it, change the place, it will be more better". They bring me to another place (Avezzano).

On a very good day carabinieri came and asked where is my document. I said I left it at home. They said "ok, next time carry it". I told other girls the story of carabinieri and they say: "don't worry, it's normal". The lady asked for 200 euro for the clothes. I called my grandmother to tell her what happens. When I get to Avezzano I met a sister⁷⁵ and said "You are too young for this!". I say "It's not my destiny. I don't know anybody in Italy. I need help". After some time they touched me and said "you are too cold". They went to get me a

⁷⁵ A Mobile Unit operator.

“giacca” (coat). I told the girl about the sisters and they say that next time I should not talk to them again, they are police and will arrest me. The sisters came to visit me many times and said when I am ready to leave I should let them know. “Now I can't leave the street, I took an oath, I am going to die”. On a very good day, it was night at 12 midnight I was in the street, 2 guys came to me. I don't know if they are Romanian or Italian. They asked “Are you working?”. I said “No. I don't want to work. Go away”. One slapped me. They dragged me and beat me mercilessly in a way I couldn't breath, I fainted and managed to come out. I found a man working in the train station and asked for help. He called an ambulance for me and went to the hospital. I tried to call those sisters but they didn't pick up my call. The doctor say he must call the police. I say “Help me, I am dying inside”. The police came and started asking questions. I told them everything. My nose was bleeding. I called the lady and told her what happened that night. She said “it's normal” and that I should come home. The next day at 4 in the morning the police said I should write a statement. I called the sisters and said I decided to leave the street. I was scared and stayed with them for 2 months until I reached the house where I am now.

I am not free from the hands of the lady. We (my family and me) are still in debt. But I think that everything is possible with God. The police helped me out in everything. I know I am a victim, a big victim, but thanks to carabinieri who helped I came out successfully. I have nothing, but I am happy because I am not in the street anymore”.

1.9 Life story of Olabisi: what is asylum???

Narrated by Olabisi in Palermo, Stadium area, on 9/10/2017⁷⁶.

Olabisi is 21 years old. She is Ghanian on her father's and Nigerian on her mother's side. Born and raised in Accra she then moves to Benin City with her mother and in 2017 reaches Sicily. The girl asked for help and showed me her permit of stay whose “motivation” reported “asylum request”. She wants to know the meaning of this expression...

⁷⁶ Source: fieldwork data. See Annex I, Reference nr. 26, Olabisi 2017.

(TRANSCRIPT)

"I want to go to school in Ballarò but they want my document. Look: my document is expired! It is written "asylum request". What is asylum? What's the meaning of this? I requested for this?? *(then she started telling her story)*

I arrived 9 months ago in Trapani. Then, I spent 2 months in the camp in Foggia. I was deceived by a friend of mine. One of my girlfriend deceived me, she said someone has a job for me. I came here because my mom's sister was already here, in Palermo. Here I live with my mom's sister and two cousins in via Perez, since 5 months. I live by Nerone shop.

I didn't know anyone in Nigeria because I was not from there. My mum is from Nigeria, my dad is a Ghanian. I am a Christian, my father is a Muslim. I spent 9 months in Nigeria, first in Lagos then in Edo State, Benin City, where my mum comes from. I had a friend there, she is the one who lured me to this. She said "Come to Europe, I have a job".

We arrived in Trapani and spent 2 days there. Then they took us to the different locations: someone to Foggia, someone to Taranto, Bari, Bologna, Padova, Milano. Actually my friends have documents 5 years others 2 years⁷⁷. They are very fast in documents, the Caritas Convertino.

I talked on phone to some of the camp people for help, my friends, Antonella, my Italian teacher, Giovanni, Alberto. But Antonella said she is not working in the camp anymore. They are no longer there. There is one I called mama, Concetta, she was bringing food to the camp.

When I was in Africa, I left Ghana. My mum never knew my father has 7 kids. He would tell my mom that that woman was a friend or a sister. My mom speak very much the Ghanian language and later she found out that this woman is very dangerous. She poisoned my brother. My brother is dead, so I

⁷⁷ She refers to international protection granting a permit of stay in Italy ranging, in the administrative praxis, from 6 months to 5 years. The 5-year permit is the maximum obtainable and is granted following the recognition of the refugee status or of the "subsidiary protection". Currently, the most common legal instrument of international humanitarian law is the "humanitarian protection" granting a permit of stay whose maximum duration is 2 years. All of these permits can be renewed.

am the only one. She did it for my mum⁷⁸ but he⁷⁹ didn't eat the food, she was trying to kill my mum. A lot of stories.

When I came to Nigeria I was in Lagos with a mum's friend. My grandma was celebrating her birthday. When I was there life wasn't easy in Edo State. A friend knew what we were going through. She told me, an Igbo girl, to follow her to her mum's funeral. I didn't know her mum's funeral was already gone. We travelled for one week to the Imo state. Later on, we got to a place called Niger. I have never heard about Niger before. I just know it on the map. Niger? Did we pass Niger? I know that Niger is a country. I know that Imo State is another direction, how are we in another country?

We went to Libya. It is an Arab country, they don't have a leader, there anyone can do anything he or she likes. They gave us *gallabia*, a Muslim thing to cover your body. There I followed the girl to a house. Locked. Where I don't see people. I know that we are in another country because people in Libya are white.

I stayed in the house for a month. I didn't know she was working in a connection house. One day she bring foodstuff and she brought me to a place by a private taxi they trust because it's dangerous, they kidnap people. When I arrived there I saw people putting on pants. What is this? I don't understand. And I told her: "I hope it's not what I'm thinking, or it is better you bring me back where I come from". And she said: "if you want to go back, you go but I used the money for your transportation". I never knew she was selling me there.

I was in the connection house. She said she was visiting a friend of her in Sabratha and was coming back the day after. She already sold me to the owner of that connection house, I'll be working for her to pay her. So she left. They locked me in the room. The day after I asked the owner why my friend didn't come from Sabratha. The owner said: "I told her I need a girl, so she brought you". She didn't go to visit a friend of hers, she wants to cross Italy. I didn't

⁷⁸ Her father's second wife intended to kill her husband's first wife by poisoning food. But the food was eaten by the girl's brother who died.

⁷⁹ "He" refers to the mother

know that she sold me. I started crying. I don't know anybody here, I am the only one and my mum she trust me I was following her to her village for the funeral. Even now my mom doesn't know that I am doing rubbish (*prostitution*). I was crying. I can't do what she (*the owner*) is asking me. She told me I should get dressed. She told me she doesn't want to know, she already gave my friend money. So I will pay her. I was crying.

A Gambian boy came that evening. He said I can follow him. He said I shouldn't worry, he can help me. He gave me some money⁸⁰. He said I should give it to the connection house, to the woman because if I don't give the money to the woman she will suspect anything. He gave me 50 dinars, like 50 euro, I gave the money to the woman. Early in the morning because in Libya they don't wake up early in the morning so it's calm. He told me I should go. So I was running and I got arrested. I went to prison. I became very ill because they beat me up in that connection where I refused to work. I became very sick. Whenever they bring food I was just lying down. I don't eat. There was a Ghanian boy there. When he found out I was a Ghanian he see I am a sister. The boga ate his money, he has been for a year. The Ghanian boy translates for me; he knows Arabic. He told an Arab man who was bringing food for people (ha was a nice person) that I was very ill. So the Arab man helped me leave the prison and asked me what I want: would I like to go back to Nigeria or I would want to go to Europe. And I told the Arab man: "If I want to go back to Nigeria, is it possible?". He told me that I have no document and Libya is a very dangerous place. If I go to the airport I will go back to prison. If I say ok, me I can't follow the Sahara desert back to Nigeria. I spent one week and 3 days in the desert, big desert, no tree, nothing, nothing in the desert. He brought me to a place called the "White House"⁸¹ in Sabratha, a place close to the seaside. That's the way I crossed. The connection man who crosses people there is Mustapha. He crossed me. The Arab man gave me his number and say

⁸⁰ Probably a client.

⁸¹ The "White House" is a former military base in Sabratha, where migrants are "stored", abused and tortured. Its existence, and evidence of the level of cruelty reached in this place is confirmed by the Palermo Anti-mafia investigation district office (DDA-Direzione Distrettuale Antimafia). The main Sicilian Newspaper reports about killings and tortures at the White House too. *Giornale di Sicilia* (12 May 2017) *Bastionate e violenze su migranti, negano i nigeriani fermati ad Agrigento*. Gds.it < http://agrigento.gds.it/2017/05/12/bastionate-e-violenze-su-migranti-negano-i-nigeriani-fermati-ad-agrigento_664754/> [Accessed 22 November 2017].

“If anything happens, because at times they can arrest you from the sea, those bad boys from the sea and take you back to the prison or sell you”. If anything happens I should let him know. That is how I came here.

When the rescue ship rescued us it was on 31 January 2017 so we spent 2 days in the rescue ship, we arrived in Trapani 1st of February. When we came down from the rescue ship we stayed in Trapani and then arrived to Foggia on the 7th February and on the 8th I started school. The Torino story is because of a friend of mine. There was a family problem. My mom was telling me there was no money and I was in Europe, in the camp..... When I left the camp it wasn't easy. I asked my girl friend if there is any job opportunity. She tell me there is a job for me: 500 euro salary in a month. I wanted to send money to my mom who is sick. But when I went to Torino, this friend wanted me to go to the streets with her. I refused and she became my enemy. She don't talk to me, she became angry. I couldn't cope. I don't have strength for that. I didn't have to leave the camp. But I was confused my mum was sick. I came to Palermo 5 months ago. It is very bad. I need a job, I need to go to school and I need my document.

Nigerians are corrupted. I am scared of Nigerians. Some of them are very very generous though”.

1.10 Cynthia: my baby saved me

Narrated by Cynthia at her homeplace, via Roma, Palermo⁸².

Cynthia has just had a baby so that another Nigerian guy (officially her husband/boyfriend) could get a permit of stay in Italy. She is part of the group of girls exploited in the Palermo Harbour area.

I arrived 3 years ago in Italy and they want me to do rubbish. They say: “if you are pregnant police will send you back to Nigeria”. That is why I did abortion.

They beat me and put me on the road. They beat me a lot. I am deaf from this side⁸³. They also burn my breast with iron.

⁸² Source: fieldwork data. See Annex I, Reference nr. 20, Cynthia 2017.

⁸³ Permanent hearing loss on one side due to beating.

What can I do for the document? The owner don't give me *ospitalità*. I live in Ballarò. I pay the house rent to the pastor but he just told me he is not the owner of the house and cannot sign *ospitalità*. He says the owner doesn't want to sign.

My lawyer is Fabrizio Ruota⁸⁴, my elder sister told me to go there. She went there and he did the document request (*international protection/asylum*) for her. He didn't ask anything about her. He asked for money and she paid. He doesn't know her story but the answer was positive (*the girl was granted international protection*). He told her that the document is ready, but to get it faster she must pay him other 350 euro....maybe for government taxes, I don't know.

The white man who brings all of us to work is horrible I don't like him.

Dickson is my joy (*her baby*). The Lord is my Shepherd I shall not want.

1.11 Mimi: innocence on the road

Narrated by Mimi on 15 May 2016, in via Crispi, Palermo, during the street outreach⁸⁵.

A very young girl visibly looking 12 or 13 years old stands in the Port of Palermo area (via Crispi)...

(transcript)

"I come from Edo State, Benin City. I arrived in 2014 and I live in Mineo CARA⁸⁶. I have been there for one year and 3 months. Today is my first day here (in Palermo). I don't like it.

I am with aunty Angela. But I am not happy. This is not work. (...) And my body is a temple of God. I don't want to stay here. Can I come with you? Please sister, I want to come with you. Bring me with you."

1.12 Sonia: social isolation from Turin to Copenhagen

Narrated by Sonia in Vesterbro, Copenhagen, on 14 June 2017⁸⁷.

⁸⁴ A lawyer from Palermo who manages many asylum requests of Nigerian exploited girls.

⁸⁵ Source: fieldwork data. See Annex I, Reference nr. 10, Mimi 2016.

⁸⁶ CARA: Centro di Accoglienza per Richiedenti Asilo. Asylum Seekers Reception Center.

⁸⁷ Source: fieldwork data. See Annex I, Reference nr. 24, Sonia 2017.

(translated transcript)

Sonia is a Nigerian woman, holding a permit of stay in Italy for international protection, and officially living in Turin. After years of exploitation in Turin she was asked to move to Nordic countries where a second-hand market for Nigerian girls exists. Because of her older age, her commercial value went down; in order to keep earnings up she was sent to a wealthier country, where "sex services" are better paid.

"I am fed up. Where do I find the strength? I never sleep at night, I never eat. Sometimes I cook food but I don't manage to eat. I'm always like this.

Nobody wants to help. I pray, pray, pray. Where do I find the strength? I always cry, cry. Sometimes I laugh, but my heart burns, burns a lot, like fire, like fire. I don't know what I must do.

If I find a flat and a job I throw away Turin.

I don't like it (*prostitution*) and God knows it. What should I do? I don't like, really. I don't like myself. How come I'm here to do this?

I can't cry and my heart burns. I have no brother, no sister, nobody, not even a good friend. I went to church. I keep crying while kneeling. I got slimmer and slimmer⁸⁸".

1.13 Ruth: from the Italian rescue industry to Copenhagen

Narrated by Ruth in Vesterbro, Copenhagen, on 12 July 2017⁸⁹.

Ruth was exploited in Rome Tiburtina for several years. She looked for help and was hosted in a shelter for victims of human trafficking managed by the NGO Differenza Donna. She was unhappy and escaped. Taken back by the traffickers she was sent to Denmark.

⁸⁸ Translation from Italian into English. The original is the following "Io stufo. Pregare pregare. Dove la trovo forza? Non dormo mai di notte non mangio. Qualche volta faccio da mangiare ma non riesco, io sempre così. Nessuno vuole aiutare. Io piango sempre, piango. Qualche volta io rido però cuore brucia, molto brucia, come fuoco, come fuoco. Non so cosa devo fare. Se trovo casa e lavoro io buttare via Torino. Non mi piace (la prostituzione) e Dio sa questo. Cosa devo fare? Non mi piace, veramente. Di me che Non mi piace. Questo è venuta qua. Non posso piangere e cuore brucia. Nè fratello nè sorella nessuno nè amica buona. Sono andata in chiesa io piango sempre in ginocchio pregare. Io magro, magro, magro"

⁸⁹ Source: fieldwork data. See Annex I, Reference nr. 25, Ruth 2017.

"It was terrible. I was standing in Tiburtina all night, even with rain. They robbed me and beat me. I tried (*to escape*) but there is no solution for me. I will get mad. I went to "comunità" in Rome but nobody understands, it is not a good place. Now I am here. I hate myself. There is no future for me!"

"Many stories matter. Stories have been used to dispossess and to malign. But stories can also be used to empower, and to humanize. Stories can break the dignity of a people. But stories can also repair that broken dignity." ⁹⁰

Relevance of the study

The next paragraphs try to provide a critical analysis of disaggregated data on the presence of Nigerian migrants broken down by region, gender and age (adult vs minors), with a particular focus on Italy, Sicily and Palermo. I adopt a gender perspective because, in my opinion, it illuminates crucial points. The positive obligations of States with regard to the rights of migrants, women and children will be taken into consideration through the ratification of relevant international and European treaties.

1.14 Nigerian human trafficking hubs in Italy

Italy has 2 major Nigerian prostitution hubs located in the Southern Center and the North of the country: Castelvoturno (Campania Region, province of Caserta), main clearing house, and Turin (Piedmont Region), main pivot point. The same fieldwork finding is confirmed by UNODC⁹¹. Sicily plays a key role as the main migrants' landing point and coordination headquarters of the Nigerian mafia.

Castelvoturno is a very interesting case. Contrary to the general migration trend where men always outnumber women, this very small village (25 thousand people) in the province of Caserta hosts 712 Nigerian women and 471 men. Strangely enough, most Nigerians do not live in the province of

⁹⁰ Adichie, C.N. (2007) *Purple Hibiscus*. Melbourne: CAE Book Groups

⁹¹ UNODC (2009) *Transnational Trafficking And The Rule Of Law In West Africa: A Threat Assessment*. p.45.

<https://www.unodc.org/res/cld/bibliography/transnational-trafficking-and-the-rule-of-law-in-west-africa_-a-threat-assessment_html/West_Africa_Report_2009.pdf> [accessed 10 January 2017].

Naples which is the regional capital of the Campania region, but in Caserta. A stunning exception, due to the well-known presence of one of the 2 main Nigerian prostitution hubs in Italy. Okoedion and many other authors and journalists, besides the authoritative Antimafia National Office, report that the Domiziana road is an open-air brothel⁹². Apparently the chief clearing house for Nigerian girls, Castelvoturno is the place where “human merchandise” is sorted all over Italy and Europe right after the arrival . A Nigerian, who recorded a video showing all kinds of physical and psychological violence perpetrated by a madam against very young and probably underage girls, refers to it as “the Italian connection house”. The information is extremely worrisome because the use of the name of connection house regards those places in Libya where girls are segregated and sexually exploited in a sort of private prisons/brothels from where they are not allowed to escape.

Illustration 1: Main Nigerian Prostitution Hubs



⁹² See Antimafia National Office (2012) Annual Report. Ministry of Justice, and Okoedion, B. (2017). *Il coraggio della libertà*. Milan: Paoline. Blessing Okoedion is a Nigerian prostitution survivor who was exploited in Castelvoturno and wrote her autobiography.

Turin (Piedmont Region) can be considered as the 1st Nigerian hub in Italy: among all the cities it is the one hosting the largest Nigerian community totaling 5,000 people (over 6,000 if we include the province). The Nigerian nationality is the most widespread among the resident Sub-Saharan African population. As in the case of Castelvoturno, Turin is home to more Nigerian women than men (2.678 compared to 2.260). It has been chosen by the Nollywood Studios as a set for "Torino boys", a Nigerian film on prostitution. The city has probably been singled out because of its strategic geographic position in Europe allowing easy mobility around the Union. The Italian capital of masonry, Turin is also known as one of the 3 vertices of the world black magic triangle (with London and S.Francisco). It might be a coincidence that Benin City in Nigeria, like Turin in Italy, is a national focal point for occultist and esoteric practices .

Other cities with a more relevant presence of Nigerian women compared to men are Milano and Brescia (Lombardia Region).

Rome is another relevant marketplace, in particular in the Tiburtina area, along with Bari, Livorno and Bologna.

The Northern Italian Region called Veneto is particularly chosen as nominal residency for asylum requests because of the supposed ease in getting positive answers: a number of Nigerian girls, not resident in Veneto, refers that it would be better to apply for asylum in Verona, Padova and Treviso rather than in other Italian cities.

1.15 Nigerians in Sicily: statistical data

Let us briefly focus on the situation in Italy and then in Sicily, the territory in which I carried out most of my fieldwork. The island is a privileged observation point having become the usual disembarkation area for migrants rescued in the Mediterranean. The Nigerian nationality is currently the 18th in Italy with regard to the number of legal residents, with a registered increased of 60% in the period 2010-2016.

According to Istat data, as of 2017, the registered Nigerian community in Italy counts on the presence of 88.527 residents (1,8% of all the foreign residents in Italy), 3.819 of whom in Sicily (4,3% of all the Nigerians living in Italy).

The criterion I choose to breakdown analysis of data by gender shows an interesting reality. Though the Trapani province ranks first for Nigerian presence in Sicily (21,7%), the Palermo province classifies 1st in Sicily for the presence of Nigerian women (300) followed by Catania (246) and Siracusa (219).

Keeping in mind that in general male migrants are overall numerically more relevant than women and that the highest number of Nigerians in absolute terms is registered in disembarkation locations such as Trapani and Palermo, we can anyhow observe that two cities, Palermo and Catania, hit the record of Nigerian female presence in Sicily. The choice of these cities could be ascribed to the Nigerian and Sicilian mafia coordination point in Palermo and to the presence of CARA in the Catania province (Mineo).

Sicilian Provinces	Resident Nigerians				RATIO MEN/WOMEN	Nigerian women in Sicily %	Overall Variation 2016-2017 %
	Men	Women	Total	%			
Trapani	704	124	828	21,7 %	5,7	9,7%	-0,2%
Palermo	453	300	753	19,7 %	1,5	23,6%	+6,4%
Catania	309	246	555	14,5 %	1,25	19,4%	+21,4%
Siracusa	252	219	471	12,3 %	1,1	17,3%	+24,6%
Agrigento	304	114	418	10,9 %	2,6	9%	+5%
Ragusa	156	94	250	6,5%	1,6	7,4%	+72,4%
Caltanissetta	193	52	245	6,4%	3,7	4,1%	+11,4%
Messina	104	88	192	5%	1,18	7%	+25,5%
Enna	76	31	107	2,8%	2,4	2,5%	+1,9%
Total in Sicily	2.551	1.268	3.819	100%	2,1	100%	+12,5%

Illustration 2: Nigerians in Sicily, 2017

I attempted a calculation of the ratio between Nigerian men and women by taking Istat data and comparing it to the data collected through my key informants, in order to hypothesize possible exploitation situations. The closer

to 1 the ratio is, the lower the probability of exploitation could be. A parity in the number of men and women could (not necessarily, but might be an indicator) suggest the presence of families whereas a huge disproportion may indicate anomalies. Another calculation, based on Istat data, regards the percentage of resident Nigerian women in Sicily and their distribution by province. Reading the data in a gender perspective allows the following highlights:

1. The ratio between men and women in Trapani is entirely unbalanced, which might suggest a potential of exploitation: 704 men and 124 women. The fact that the area of Castelvetrano (Trapani province) and its surroundings is currently a hub of the Nigerian prostitution market in Sicily is confirmed by the presence of girls selling themselves in suburban areas and by a recent case of exploitation reported to the police, which led to the conviction of two Nigerian sisters, detained in the main Palermo jail. Castelvetrano hosts 160 Nigerians, more than nearby city of Trapani hosting 147 people; a relevant and disproportionate data considering that Castelvetrano has 30 thousand inhabitants whereas Trapani has 68 thousand. Surely, Castelvetrano hosts the main prostitution market of the province.
2. The highest number of Nigerian women resident in Sicily can be found in Palermo, city that is playing the role of main sexual exploitation hub in Sicily in absolute terms. Recently, as the Mobile Outreach Unit observed, the number of Nigerian women in street prostitution outnumbered the Easter Europeans, who used to be much more numerous in the past.
3. Catania ranks 2nd for the number of resident Nigerian women in the island. A relevant presence of them is registered at the Mineo CARA, the biggest reception center for migrants in Europe functioning as a prostitutes warehouse for traffickers. Inside the CARA the Nigerian mafia exercises its power and manages brothels targeting the resident asylum seekers. The Lentini Road has been indicated by my key informants as a main location for outdoor exploitation.
4. The ratio men/women in Caltanissetta is impressive: 1 woman every 4

men. This might indicate a level of control by men on women.

5. Agrigento has also a relevant ratio men/women: 1 woman every 3 men. This province, besides being a disembarkation point, has been indicated by the girls who are part of this study as a location for widespread indoor sexual exploitation: this information was confirmed by police investigations.
6. Ragusa reports the highest variation in overall Nigerian presences in 2017 compared to 2016 (+25,5%).
7. Mobility in 2017 summed to new arrivals boosted presences in the Eastern Sicilian province of Siracusa (+24,6%), now for the first time ranking 3rd favorite destination in Sicily for Nigerian women. Many girls living in Palermo keep travelling back and forth to Siracusa for unclear reasons. It is noteworthy that the small village of Solarino hosts a big number of Nigerians (111 people, out of which 57% are women)
8. Enna's high ratio (2,4) could confirm the raise in the previously occasional presence of Nigerian outdoor prostitution, which was completely absent until a couple of years ago, particularly in Piazza Armerina, hosting half of all the Nigerian residents in the province. The police reports a sudden expansion of this market.
9. Messina is second per variation to Siracusa in 2017. In 2016 the province had registered an unprecedented +168% increase with respect to 2015. Barcellona Pozzo di Gotto, small town in this province, has been mentioned several times by my key informants as a drugs trafficking hub linked to sexual exploitation: girls are used as couriers.

As a general premise, it is very important to state that Istat data cannot be considered extremely accurate. The reason is that the number of effective unregistered residents is hardly estimable. Therefore, Istat data cannot offer a precise and factual picture of reality.

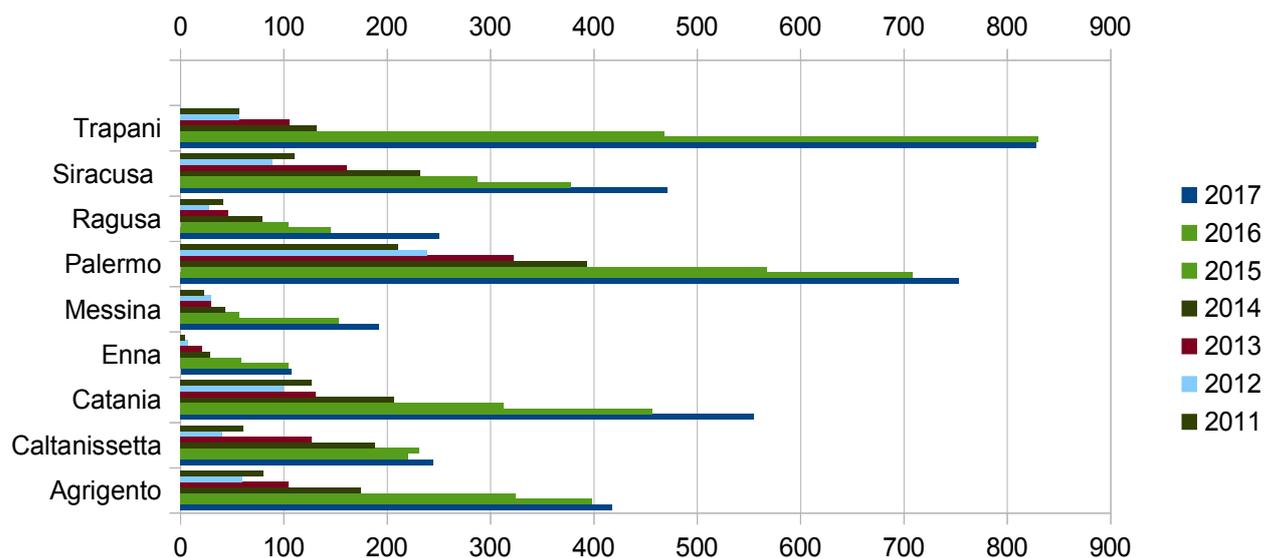


Illustration 3: Variation in Nigerian presence in Sicily 2011-2017

1.16 Nigerians in Palermo: statistical data

Nigerians in Palermo and its province, according to Istat, are totally 753 (2,02% of all foreign residents in Palermo province) in 2017. The main towns in the Palermo province, where most Nigerian residents live are: Palermo, Piana degli Albanesi and Borgetto.

Municipality	Nigerian Residents
Palermo	485
Piana degli Albanesi	75
Borgetto	41
Giardinello	29
Partinico	19
Caccamo	17
Corleone	13
S.Giuseppe Jato	9
Bagheria	8
Monreale	8

Illustration 4: Nigerians in Palermo province – 2017

The Nigerian presence in the city of Palermo registered in the last 5 years raised from 170 people in 2010 to 485 in 2017 with a sharp increase between 2014 and 2015.

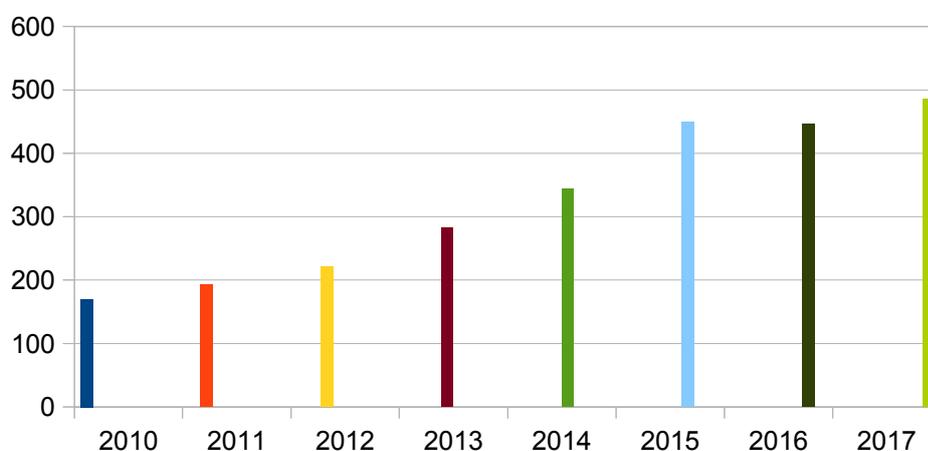


Illustration 5: Nigerians in the city of Palermo 2010-2017

1.17 Nigerian female UFM living in Sicily

This paragraph intends to highlight the alarming issue of the growing number of underage Nigerian girls sexually exploited in the Italian roads in the last 3 years. They represent the weakest link in the exploitation chain and fall victim to the most cruel intersectional discrimination.

The official data on Nigerian UFM under-represents the phenomenon because many girls falsely declare to be of age when they are identified at the Italian port of arrival. Nevertheless, these data must be taken into account even if only as a starting point.

An analysis of data collected by the Italian Ministry of Labour and Social Policies in August 2017⁹³ shows that Nigeria is the top origin country of female UFM (46,1%). If we eliminate the gender perspective, the data will not give us

⁹³ Ministry of Labour And Social Policies. (31 August 2017). Report Mensile Minori Stranieri Non Accompagnati (MSNA) In Italia. Direzione Generale Dell'immigrazione E Delle Politiche Di Integrazione Divisione II. <<http://www.lavoro.gov.it/temi-e-priorita/immigrazione/focus-on/minori-stranieri/Documents/Report-MSNA-mese-agosto2017-31082017.pdf>> [Accessed 10 September 2017].

any relevant information: Nigeria ranks only 5th in the general (male+female) UFM nationality table.

RIPARTIZIONE DELLE MINORI PER CITTADINANZA		
CITTADINANZA	PRESENTI E CENSITE	%
NIGERIA	589	46,1
ERITREA	192	15,0
ALBANIA	91	7,1
SOMALIA	89	7,0
COSTA D'AVORIO	87	6,8
MAROCCO	28	2,2
GUINEA	25	2,0
GAMBIA	23	1,8
GHANA	13	1,0
SIERRA LEONE	13	1,0
MALI	13	1,0
ETIOPIA	8	0,6
BRASILE	8	0,6
CAMERUN	8	0,6
EGITTO	7	0,5
ALTRE	83	6,7
TOTALE	1.277	100

Illustration 6: UFM in Italy by nationality – 2017

The gender-focused data on female UFM (Unaccompanied Foreign Minors) indicates the Nigerian nationality as the most numerous. As of August 2017, the exact “official” number of Nigerian female minors in Italy is 589.

According to the declarations released by female underage migrants themselves in the so called 'hot spot' just after disembarkation upon their arrival in Italy, 52,6% of them are 17 years old, 22,4% 16 years old, 10% 15 years old, 11,9% are in the range 7-14 and 3,1% are between 0 and 6 years.

According to the same data referring to August 2017, 57,2% of all female UFM live in Sicily.

The relevance of the problem relates also to the fact that minors easily escape from first reception centers and become unreachable after a short time.

Of course the number of underage female migrants is underestimated because many of them appear in the adults data: they are instructed by their exploiters and controllers not to declare their real age, as many of my key informants confirmed:

“The madam that bring me say “tell them your age is 18 or your age is 19

years". If the Italian know we are 16 or 17 years they will keep us in a safe place, they won't let us to go out"⁹⁴.

Sicily is the first region in Italy for number of Unaccompanied Foreign Minors

RIPARTIZIONE DELLE MINORI PER REGIONE DI ACCOGLIENZA		
REGIONE	PRESENTI E CENSITE	%
SICILIA	731	57,2
CALABRIA	73	5,7
EMILIA ROMAGNA	68	5,3
LOMBARDIA	65	5,1
PIEMONTE	57	4,5
PUGLIA	53	4,2
CAMPANIA	44	3,4
TOSCANA	42	3,3
LAZIO	34	2,7
SARDEGNA	29	2,3
VENETO	24	1,9
PROV. AUT. DI BOLZANO	19	1,5
FRIULI VENEZIA GIULIA	12	0,9
PROV. AUT. DI TRENTO	7	0,5
LIGURIA	6	0,5
ABRUZZO	5	0,3
MOLISE	3	0,2
UMBRIA	2	0,2
MARCHE	2	0,2
BASILICATA	1	0,1
TOTALE	1.277	100

Illustration 7: Female UFM by Italian Region

In the year 2016 the recorded arrivals of UFM doubled in number the recorded arrivals in 2015. This trend remained constant throughout 2017. UFM are the most exposed to human trafficking and exploitation after women. According to Save the Children's report 1 in 5 trafficked victims is a child or an adolescent. Nigerians account for 67% of all the UFM victims of human trafficking while Romanian are 8%⁹⁵. These data indicate a fundamental difference in vulnerability between the two main foreign communities involved in sex trafficking. The age of sexually exploited Nigerians is sensibly lower than any other.

Save the Children reports that the Nigerian UFM arrived in Italy in 2016 are mainly in the age range between 15 and 17. However, the current trend shows a dramatic lowering of the age, reaching a growing number of 13-year-old girls⁹⁶.

In 2016 only, 3.040 UFM of Nigerian nationality (female and male) reached Italy.

⁹⁴ See Life story of Blessing, Chapter 1 par.1.4

⁹⁵ Save the Children (2016) *Piccoli Schiavi Invisibili*. Rome: Save The Children Italia Onlus p.7.

⁹⁶ Save the Children (2017) *Piccoli Schiavi Invisibili*. Rome: Save The Children Italia Onlus p.21.

However, as Save the Children confirms, there are yet no national instruments able to collect real data on child trafficking; the only available official data is based on the emerged component of the phenomenon.

1.18 UFM denied rights

In Italy children enjoy the right not to be expelled for any reason except in cases where expulsion represents their best interest (established normally by a judge, or by an administrative authority. The law always provides for the judicial control of such administrative decisions).

This research intends to outline in particular the living conditions of the Nigerian female UFM on our Sicilian territory in light of the four-fold vulnerability characterizing them: gender, minor age, extraneousness to the new linguistic-cultural context, loneliness amplified by the need for protection.

According to a study conducted by the London School of Hygiene and Tropical Medicine and IOM, one in 4 trafficked UFM suffer from PTSD symptoms (suicide attempts, self-inflicted injuries) having been victim of either sexual and/or physical violence and abuse. The primary cause of suffering for girls has been identified in forced sex work⁹⁷.

UFM, considered as the most vulnerable part of the human family, should be protected under the 1989 Convention on the rights of the child. Nevertheless, in order to ascertain effective enjoyment of the rights enshrined in that Treaty, and of the most basic human rights contained in the Universal Declaration, the law and the praxis applied by the competent bodies in the management of UFM should be compared. From this comparison, it emerges, especially in analyzing the Nigerian UFM case, that there is an urgent need to fill a substantial gap in which organized crime finds space to settle.

Particularly relevant, even if at the moment largely ignored, is the Optional Protocol to the Convention on the Rights of the Child regarding the sale of children, child prostitution and child pornography, opened for signature in 2000 and entered into force in 2002.

⁹⁷ Zimmerman, C. et al. (2015) Health of men, women, and children in post-trafficking services in Cambodia, Thailand, and Vietnam: an observational cross-sectional study. *The Lancet*. March 2015. Vol.3 p.159. <[http://www.thelancet.com/pdfs/journals/langlo/PIIS2214-109X\(15\)70016-1.pdf](http://www.thelancet.com/pdfs/journals/langlo/PIIS2214-109X(15)70016-1.pdf)> [accessed 22 November 2017].

1.19 Rights of women, children, migrants in international law

Intersectional oppression of women coerced into sex trafficking can currently be broken down to its main three components: gender, age, migratory status. International law, nevertheless, is still insufficient to tackle exploitation. The reason in my opinion is that it does not hold into the right consideration other elements which dramatically raise the level of vulnerability: illiteracy, poverty, social isolation, orphanhood. It is the intersection of the first with the second element, as Crenshaw would point out, sets the basis for all kind of abuses⁹⁸.

In my view, at present there is no international Treaty or document with binding legal force, addressing the prostitution phenomenon in a comprehensive way and the exploitative mentality this phenomenon is contributing to develop.

The current available international legal instruments devoting efforts to women, children and migrants' rights need to be examined and challenged to identify key gaps.

1.19.1 International treaties

All international treaties descend from the Universal Declaration of Human Rights which founds itself on the "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family"⁹⁹. In the following pages I will attempt a quick review of the human rights-related treaties providing a historical analysis of concepts, in order to highlight recent evolutions or involutions, depending on the idea of human progress that we have in mind. In the light of this analysis, I conclude that we are far from having reached a full understanding, and thus transposition into concrete actions, of adjectives representing the distinctive features of human rights such as 'inherent', 'equal' and 'inalienable'. Moreover, there is not a pacific and

⁹⁸ Crenshaw, K. (July 1991) Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review*. Vol. 43, No. 6, pp. 1241-1299.

⁹⁹ Preamble to the Universal Declaration of Human Rights.

UN General Assembly (10 December 1948) *Universal Declaration of Human Rights*
<<http://www.refworld.org/docid/3ae6b3712c.html>> [accessed 22 November 2017].

consolidated definition of the word 'dignity'. These notions are used more and more timidly over time, and while the world is getting disoriented in an ocean of details describing very circumstantial actions (i.e. means, purpose, actions of human trafficking, etc), the broad and essential vision of the Declaration seems to have lost its primacy.

INTERNATIONAL TREATIES							
RIGHTS OF WOMEN, CHILDREN, MIGRANTS							
COUNTRIES	<i>Trafficking & Exploitation of Prostitution</i>	<i>Civil & Political Rights</i>	<i>CEDAW (women)</i>	<i>Rights of the child</i>	<i>Rights of migrant workers</i>	<i>Palermo Protocol</i>	<i>Sale of children Protocol</i>
	1949	1966	1979	1989	1990	2000	2000
Italy	1980	1978	1985	1991	-----	2006	2002
Libya	1956	1970	1989	1993	2004	2004	2004
Niger	1977	1986	1999	1990	2009	2004	2004
Nigeria	-----	1993	1985	1991	2009	2001	2010
Sweden	-----	1971	1980	1990	-----	2004	2007

Illustration 8: International Treaties

The table above indicates the ratification dates of the most important International instruments protecting three vulnerable categories, women, children and migrants, by selected States having an important place in this research. These categories often overlap. The table offers to the reader the chance to have a synoptic view and an immediate grasp of the delayed ratification/failure to ratify the international treaties concerning the three vulnerable categories.

The countries analyzed here are directly linked to the trafficking of Nigerian girls, as the origin (Nigeria), transit (Libya and Niger) and destination countries (Italy is one of the main destination countries). Sweden is included too, not as a transit or destination country, but because it is the country with the most advanced - and debated - prostitution law at world level; it is therefore taken into account as a perfectible model.

The international treaties relevant for this study are:

1. The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)
2. The Covenant on Civil and Political Rights (1966)
3. The Convention on the Elimination of All Forms of Discrimination against Women (from now on referred to as: "CEDAW", 1979)
4. The Convention on the Rights of the Child (1989) and its optional Protocol on the sale of children, child prostitution and child pornography (2000)
5. The Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)
6. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the Convention against Transnational Organized Crime (the Palermo Convention, 2000).

The first and oldest of the treaties mentioned states in its preamble that prostitution is incompatible with dignity and value of the human being and endangers the person's wellbeing. The States Parties to the Convention have therefore to penalize "any person who, to gratify the passions of another (...) exploits the prostitution of another person, even with the consent of the person" (Art 1.2). Italy has ratified it.

The second treaty addresses all human beings without gender distinction enshrining core rights such as the:

Art 6 – Right to life

Art 7 – Freedom from torture

Art 8 – Right to not be enslaved

Art 9 – Right to liberty and security of the person

The CEDAW's importance relates to women's rights. The most relevant

content, in relation to this research, regards:

-the definition of the term "discrimination against women"(Art. 1)

-the obligation for State parties to embody the principle of equality of men and women, to sanction discriminative behavior towards women, and "to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women" (Art. 2);

-the promotion of "advancement of women for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men" (Art. 3)

-the commitment of State Parties "to modify the social and cultural patterns of conduct of men and women with a view to achieving the elimination" of "practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women" (Art. 5).

As for the Convention on the Rights of the Child, articles 2, 3, 6, 12, 34 and 37 are the most relevant and concern, respectively:

1. non-discrimination
2. the child's major interest
3. the rights to life, survival and development
4. the right to express opinions and have them heard
5. protection against sexual exploitation
6. protection from torture and cruel, inhuman or degrading treatment.

The Optional Protocol on the sale of children gives 3 key definitions:

1-Sale of children: "any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration" (art2a)

2-Child Prostitution: "the use of a child in sexual activities for remuneration" and (art 2b)

3-Child Pornography: "any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of

the sexual parts of a child for primarily sexual purposes” (Art. 2C). In art 3.I.A it imposes the adoption of appropriate legislation punishing the offenses of “offering, delivering or accepting, by whatever means, a child for the purpose of Sexual exploitation.”

The Rights of Migrant Workers are extended to both documented and undocumented migrants who are ensured protection against slavery and also from inhuman and degrading treatments.

The Palermo Protocol, being attached to the Convention on Transnational Crime, has a particularly focus on prosecution of trafficking offenses. It proposes a first definition of human trafficking according to 3 criteria: act, means and purpose of trafficking. However, it does not outline any tailored and final solution to the phenomenon of trafficking.

1.19.2 European treaties

The European most relevant legal framework related to women's and children's rights includes the Vienna Declaration, the Istanbul Convention and the Charter of Nice. It seems important to highlight that these instruments, whether binding or not, cannot be enforced outside the European countries.

The Vienna Declaration, dating back to 1993, underlines the chief features of human rights, which are: universality, indivisibility, interdependency and interrelation. It moreover recognizes the concept of gender-based violence and states that it is not compatible with the dignity and worth of the human person. A recognition that seems to indicate the intrinsic vulnerability of the “girl-child”.

The recent Istanbul Convention, known as the “Council of Europe Convention on preventing and combating violence against women and domestic violence”, entered into force in 2014, denounces that violence against women is a violation of human rights and a form of discrimination. According to the Convention, violence against women and domestic violence includes all acts causing DAMAGE (physical, sexual, psychological, economic) or SUFFERING (physical, sexual, psychological, economic) and the threats of these acts.

The Charter of Fundamental Rights of the European Union, entered into force in 2009, enshrines the Dignity, Freedoms, Equality, Solidarity, Citizens' Rights, and Justice of every person. The section on Dignity is particularly relevant for the purposes of this research and will be further analyzed in Chapter 3.

CHAPTER 2

MIGRATION

“It is better to die in the sea than as a slave in the street”¹⁰⁰

A Nigerian girl

Introduction: Migration as first vulnerability

The massive arrival of girls from Nigeria to Italy started in the 1980s, in correspondence with the beginning of the IMF and WB-led Structural Adjustment Programs in Nigeria¹⁰¹. Nevertheless, the stunning gendered migration wave reaches its apex precisely in the triennium 2015-2017, pinpointing at two important relations: first, the link between extreme poverty and forced migration and, second, the tripartite nexus human trafficking-migration-prostitution.

The Nigerian girls prostituted abroad are vulnerable in many respects: they are female, underage¹⁰², black¹⁰³, poverty-stricken, often unschooled, socially disadvantaged and isolated and, finally, migrants.

¹⁰⁰ Angeli, F (7 November 2017) Le nigeriane di Roma: "Meglio morire in mare che schiave sulla strada". *Repubblica.it*

<http://roma.repubblica.it/cronaca/2017/11/07/news/le_nigeriane_di_roma_meglio_morire_in_mare_che_schiave_sulla_strada_-180453422/> [Accessed 7 November 2017].

¹⁰¹ Aghatise, Trafficking for prostitution in Italy.

¹⁰² In at least 1/3 of the cases, as reported by researches, Nigerian prostituted girls are underage. See the data provided by both NAPTIP (reported by Nkememena in Press Coverage of Child Trafficking In Nigeria) and APG23 in I numeri della tratta in Italia, available at <http://news.apg23.org/downloads/files/APG23_dati_tratta.pdf> and at <<http://www.questoilmiocorpo.org/wp-content/uploads/2016/10/Brochure-Campagna-Questo-%C3%A8-il-mio-corpo.pdf>>. [accessed 22 November 2017]. APG avails itself of the data collection work done by its 24 mobile units distributed all over Italy.

¹⁰³ Skin color is a neutral biological feature which has been historically racialised and put in a subordinate position. James Baldwin persuasively argues that the “negro” is a creation of the white man for the purpose of exploitation. Bartoli wonders whether the concept of race is linked to melanine or to law. She claims that it is law that builds identities.

See James Baldwin, J. (1993, origin.1961) *Nobody Knows My Name: More Notes of a Native Son*. New York: Vintage Books. pp. xi-xii and

Bartoli, C. (2012) *Razzisti per legge. L'Italia che discrimina*. Roma: Laterza. p.51-55.

Because of this multidimensional vulnerability, an intersectional approach is indispensable. It will allow to single out the different multiple vulnerabilities¹⁰⁴ of Nigerian girls prostituted abroad.

According to the Constitution (art. 3) and the law (d.lgs. 286/1998 art. 2) the Italian State has the positive obligation to guarantee to any person on its territory, regardless of their nationality or status, equal enjoyment of the fundamental rights and freedom enshrined in the Italian Constitution, be they 'expat'¹⁰⁵, 'immigrant' 'extracomunitario'¹⁰⁶, asylum seekers, refugees, or economic migrants. The specious, instrumental and dominant use of negatively-connoted terms (such as clandestine¹⁰⁷ or irregular immigrants) when referring to much heterogeneous groups of persons including 'asylum seeker', 'trafficking victim', 'foreigner', 'expatriate', 'displaced person' and 'refugee'¹⁰⁸, is recurring in the mass media, with the applause and support of part of the political propaganda. This use is dangerous, as it merges together categories that are and should be treated differently as a matter of justice. It is important to encourage the use of a variety of terms describing the different situations.

The shift in the use of words clearly shows the dominant tendency of the wealthy countries of the world towards an excluding way of thinking fed

¹⁰⁴ Vulnerability should not be defined as a status, but rather as a potential condition a person may face. According to the Latin etymology of the word (vulnus, -eris, translated as 'wound'), a person has to be considered 'vulnerable' when s/he is in danger or at risk of being wounded. The nature of the 'vulnus', or the offence, can be both physical and psychological. UNODC describes vulnerability as susceptibility to trafficking and as THE crucial element determining trafficking. See UNODC (2013) Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons, p.13. <https://www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf> [accessed 7 April 2016].

The European Trafficking Convention in its Explanatory Report, at para. 83, states that vulnerability “involves insecurity or illegality of the victim’s immigration status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights”.

See Council of Europe, Explanatory Report to the Council of Europe Convention on Action against Trafficking in Human Beings. par.83. p.15.

¹⁰⁵ The word 'expat' is normally used to indicate a person who willingly relocates to a country different from the country of origin, to enjoy the leisure and benefits of residing there. Expats are, for example, British or American retired person who decide to spend their retirement in Italy, enjoying mild weather, beautiful scenery and good food.

¹⁰⁶ Pejorative Italian word indicating non-EU citizens.

¹⁰⁷ A migrant who keeps residing in Italy despite a decree of expulsion.

¹⁰⁸ The English term refugee includes both Italian words “profughi” (displaced persons escaping from wars or natural disasters) and “rifugiati” (those who already hold a permit of stay for asylum).

by the current upsurge of identity particularism and resilient nationalism. "Migrant" would be the only neutral word highlighting neither origin (emigrant) nor destination (immigrant) of the traveller. As a matter of fact the word "emigrant" is no more used; the word "immigrant" has acquired the derogative meaning of invader and has become widely used in the last years, especially by the rightist. Whatever the label maybe, the semantic shades of our language in its current usage tend to classify the 'immigrant' as a 'second-class foreigner' or a 'second-class human'. The effect of this use is the dehumanisation of this class of persons. They are regarded as groups of people with no identity, no family roots, no aspirations, no individuality, no feelings. It is interesting to observe that the demeaning attitude towards immigrants, entailing hate and derogative ideas towards a foreigner with dark skin, is almost a necessary feature of the action of sexually using/abusing prostituted girls. My argument is that the 'user/abuser' always demeans the girls by the action of using/abusing them, and could not use/abuse them without at the same time demeaning them. The reality shows that there is no contradiction in such a behavior: since these migrants are considered inferior in terms of dignity, race and social status, they can also be maltreated, used and thrown away. The sneaky idea that they are less human than we are, and therefore have less value than us, stands behind all the racist mindsets, equally distributed between the low class and the liberal bourgeoisie coarse sex buyers and refined - yet ruthless - "human rights" theorizers. In this research I want to establish a necessary link between prostitution and discrimination. I will do so step by step, starting with establishing a link between migration and prostitution.

It is of paramount importance to underline the strict connection between prostitution and migration. No prostituted woman would ever choose to operate in her own town; prostitution is therefore interlinked with journey. None of the girls that I met, especially the minors, who account for 37-

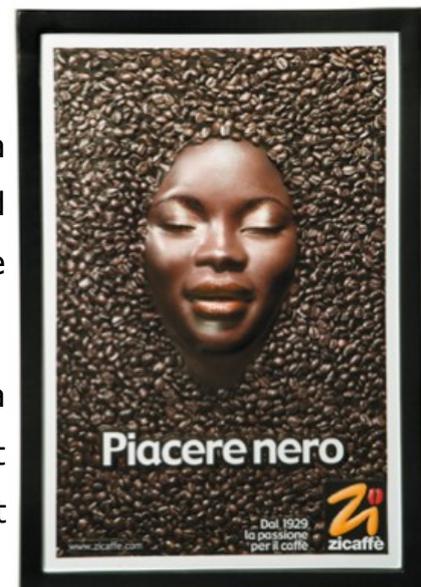
46% of all the prostituted women in Italy, is a “migrant selling sex”¹⁰⁹, freely choosing to “work in the sex industry”¹¹⁰. However, none of them travels on a business class flight to Europe from Africa to reach neither the job nor the life of her dreams.

According to Agustìn “the migrant label is disempowering”¹¹¹ and feeds a prostitute discourse. In reality, it is impossible to detach the kind of “work” “chosen” from the migration status, because it is the second element which determines the first one. Less important than the migration status, but still a key factor, is the racial/exotic stereotype, a strong characteristic of Nigerian prostituted women in European and Arab countries. An example of how media feed the imagery of the racial/sexual link is the ad of a famous Italian coffee brand, called Zicaffè, whose allusive connection between words and image is self-explanatory: “il piacere nero” (the black pleasure) is directly linked to the face of a black woman.

Illustration 9. Zicaffè - Black pleasure

Is it more disempowering to be labeled as a migrant or to be considered as a means and not as an end? A Kantian approach could give tentative answer.

Maybe what is really disempowering for a human being is to be considered as an object and, specifically, “a black pleasure” without identity.



Far from being a label, the migrant status is an element of extreme vulnerability, or a risk factor in medical lexicon, especially when the destination country is located in a different continent where the risk of social isolation is amplified by the huge differences in language, culture

¹⁰⁹If it is ever possible to cut and sell a part of the body, like a fitted kitchen.

¹¹⁰ Agustìn, L. (2007) *Sex at the margins*. London: Zed Books, p.30

¹¹¹ Ivi p.191

and perhaps most importantly, in power, social class and race. Looking at the reality of migration does not disempower girls. On the contrary, it helps shedding a light on what real girls face and how the journey becomes an ineradicable part of their life. Though the implicit doctrines of the depersonalization of sex¹¹² and of the invulnerable woman¹¹³ lie behind some mentally-fascinating neoliberal affirmations, this study intends to address and describe the real-life experiences of the prostituted girl and children I met in the last 3 years. On these bases, this research ultimately draws conclusions contradicting the current mainstream academic and political discourses on prostitution.

A. LEGAL FRAMEWORK ON MIGRATION

2.1 International LF

The right to migrate touches the XXIst century human rights frontier. The countries belonging to the Minority World are anachronistically and deceitfully investing huge funds with the aim of defending their wealth. Under the guise of security measures against terrorism or even protection of citizens' human rights, the EU is committing what history will define as the biggest and unforgivable crime against humanity. The power of ruthless dictatorships in Africa is increasing proportionally to the size of the legalized bribe¹¹⁴ that European leaders are shamelessly paying, while a big part of society gutlessly watch.

Migrants can only invoke protection out of the timeworn (1951) Geneva Convention on Refugees: a very good instrument when it entered into force, in the aftermath of the Second World War, but no more apt, in my opinion, to respond to new circumstances and a profoundly changed world¹¹⁵.

¹¹² On depersonalization of sex see Moran, *Stupro a pagamento*.

¹¹³ On the doctrine of the invulnerable woman see Ekman, *Being and being bought*, p.26-29.

¹¹⁴ Reference is made to the agreement between the EU countries and the origin and transit countries of migrants, aiming at preventing huge migration flows with the result of gross violations of human rights. A lampant case, that will be discussed further in this chapter regards Lybia. See the unofficial (technically called “non-paper”) Italian proposal to the EU: Italian Government (2016) *Migration Compact*. Contribution to an EU strategy for external action on migration.

<http://www.governo.it/sites/governo.it/files/immigrazione_0.pdf> [accessed May 2017].

¹¹⁵ The 1951 Geneva Convention and its 1967 Protocol were drafted having in mind the tragedy of the Secongolo

People escape from their country because of poverty resulting from present or past exploitation. Exploitation, in turn, is the effect or continuation of colonialism.

According to the EU (Roadmap 2015) migrants are macro-categorized as either persons in clear need of protection (to whom the non-refoulement principle applies) and economic migrants, who are people in search of a better future, not risking persecution or serious harm in case of repatriation. Those people are normally not allowed to reach or stay in the countries of destination. I believe that this is the consequence of an unbalanced distribution of wealth and resources benefiting the Minority World to the detriment of the Majority World.

Who is not a refugee is labeled as an economic migrant or, in other terms, as a non-citizen, a rightless person. The *caveat* is that the poor must remain poor and any colonial wealth, already stolen, transferred in the West and beautifully exposed in places such as the British Museum, cannot be given back by virtue of *usucapion*, be it the African Rosetta stone or the African oil, diamonds or gas.

The foundation of the international legal framework on migration is essentially constituted by the right to freedom of movement.

The Universal Declaration of Human Rights (1948) states:

“Everyone has the right to freedom of movement
and residence within the borders of each State.

World War, including the displaced Jews who were fleeing to the USA, UK, and other European countries escaping from nazi-fascist persecutions. The 1967 Protocol extended the scope of application of the convention and its effects, covering those who were already residing in a different country after escaping persecution without any time limit. The Geneva Convention provides five grounds of protection: “race, religion, nationality, belonging to a particular social group, political opinion”. Although the meeting between international refugee law and international human rights law has been fruitful, there are some categories that do not yet fit the five grounds, as for instance women subject to domestic violence due to religious or political reasons, a phenomenon that is very widespread throughout the world. Moreover, because “sex” and “gender” are not mentioned among the five grounds of the Geneva Convention, women who are persecuted on the ground of sex must prove to be persecuted on other grounds, or to be a member of a group that has salient social characteristics and is persecuted as such. There is no mention of vulnerable migrants who have been subjected to torture, abuse, violence during their journey, or to other kinds of vulnerability which deserve protection and do not fit the categories of refugee or beneficiary of subsidiary protection. That is why I affirm that the protection of the Geneva Convention is not anymore apt to protect migrant persons in need of refuge.

Everyone has the right to leave any country,
including his own, and to return to his country” (Art 13.1 and 13.2).

The International Covenant on Civil and Political Rights (1976) enshrines the right of freedom of movement and to establish one's abode:

“Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.” (Art. 12.1)

“Everyone shall be free to leave any country, including his own.”(Art 12.2)

“The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant”. (Art. 12.3)

“No one shall be arbitrarily deprived of the right to enter his own country.” (Art 12.4)

Finally, the UN Convention on the Rights of All Migrant Workers and Members of their Family, entered into force in 2003 and however unfortunately unratified by Western states, including Italy and Sweden, emphasizes that

“The term "migrant worker" refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national”. (Art 2)

“Migrant workers and members of their families shall be free to leave any State, including their State of origin. This right shall not be subject to any restrictions except those that are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present part of the Convention.” (Article

8.1)

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

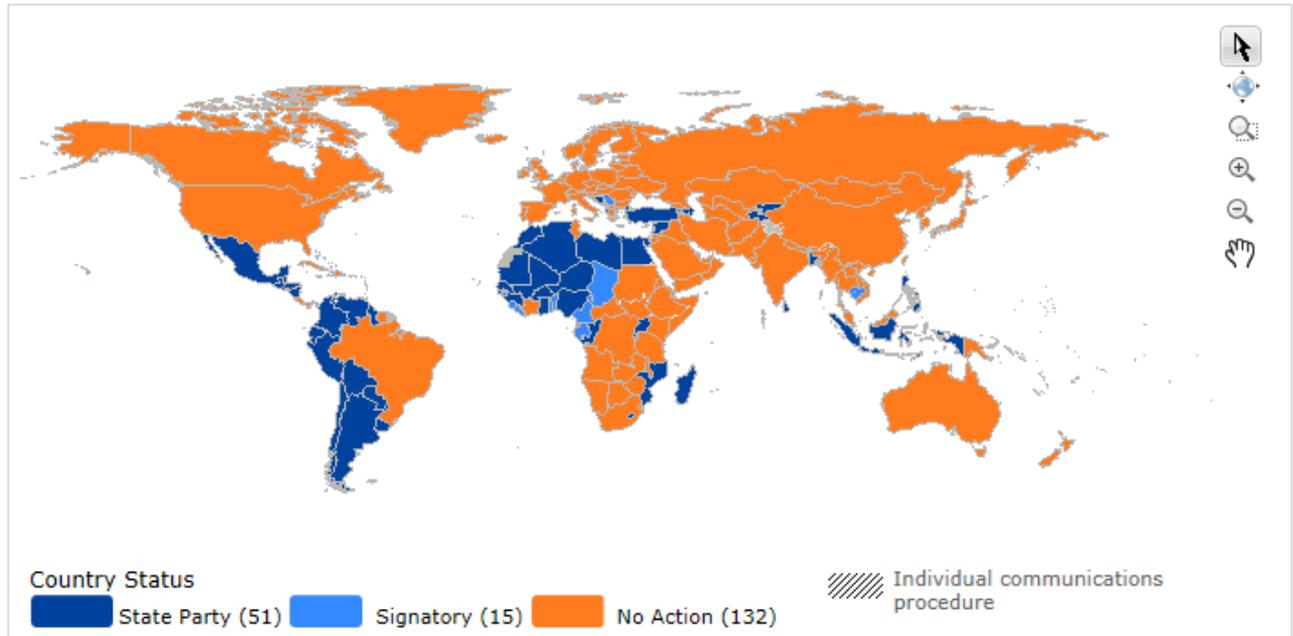


Illustration 10. International Convention on Migrant Workers Rights ¹¹⁶

“Migrant workers and members of their families shall have the right at any time to enter and remain in their State of origin”.(Article 8.1)

“The right to life of migrant workers and members of their families shall be protected by law.” (Article 9)

“No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. (Article 10)

“No migrant worker or member of his or her family shall be held in slavery or servitude.” (Article 11)

“No migrant worker or member of his or her family shall be required to perform forced or compulsory labour.” (Article 11)

Italy and Sweden failed to ratify the International Convention on the Rights of All Migrant Workers. Why did they fail to do so? Perhaps because

¹¹⁶ Source of illustration: Office of the United Nations High Commissioner for Human Rights (OHCHR)
<<http://indicators.ohchr.org/>>

it is not their intention to address the problem. However, there is a difference between lack of information and culpable inaction: "ignoring isn't the same as ignorance, you have to work at it"¹¹⁷. In my view, this is a symptom of money-latry, an economic centered view that the Minority World tends to assume, driven by the will to gain money and power rather than working for justice.

2.2 European LF: migration and vulnerabilities

In the context of forced migration, Art 21 of Directive 2013/33/EU of the European Parliament and of the Council requires the member States to take into account the situation of "vulnerable persons" such as "unaccompanied minors (...), pregnant women (...), victims of human trafficking (...) and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation".

Nearly all migrant women and adolescents, and particularly Nigerian girls, reaching Italian coasts have been rape victims during their migratory route but upon arrival they do not receive the attention invoked by the EU. Even if the EU Member States have a positive obligation to take into account their vulnerability, it is a fact that upon arrival they do not receive the attention required by EU law. In practice, vulnerability is not treated as a priority by Italy [nota] nor by other European states whose main preoccupation seems the one to raise walls and protect their borders and wealth from the "invasion" of the poor we ourselves historically contributed and still actively operate to strip from their natural resources.

It seems to me that their main concern is to maintain the current equilibrium, remain wealthy nations. As Anderson outlines "the anxiety about immigration is an anxiety about the mobility of the global poor"¹¹⁸.

¹¹⁷Atwood, M. (1985). *The Handmaid's Tale*. Anchor. Chapter 10 paragraph 25

Atwood criticizes policies aiming at controlling women's bodies and reproductive activity.

¹¹⁸Anderson, B. (2014) *Exclusion, Failure, and the Politics of Citizenship*. RCIS Working Paper No. 2014/1.

2.3 National LF: Italy - TUI 1998

At national level, the Italian Testo Unico sull'Immigrazione (1998) is the main reference on migration policies mentioning the rights and duties of foreigners entering the Italian borders.

According to this law, foreigners who are legally resident enjoy the same rights and duties of Italian citizens. Numbers of migrants residing in Italy have radically changed in the last two decades: from 1,3 million in 2001, they hit 5 million in 2016.

In particular, in 2016 Nigeria represented one of the top countries of origin of foreigners who reside in Italy holding a permit of stay for humanitarian reasons. The peculiarity of Nigerians in our country compared to all other migrants is the habit of automatically seeking asylum with the aim of obtaining a permit of stay, regardless of the formal requisites.

2.4 National LF: Nigeria - IA 2015

The entry and exit from Nigeria is regulated by the 2015 Immigration Act which replaced the one dating back to 1963: the new law created mobile Immigration Courts at ports of entry and increased the punishments for immigration offenses.

Migrant workers from the Minority World, such as the personnel of oil multinationals including the Italian ENI have easy access to “expatriate permits of stay”, despite the huge permanent environmental damages their presence is causing to the country. Among the causal factors of migration (push factors) it is worth mentioning the environmental catastrophe provoked by these companies in the Niger Delta. Not less important is the financial disaster facing the country because of the consolidated Nigerian-Italian habit of the bribe recently come out in a trial where ENI is accused of international corruption¹¹⁹.

¹¹⁹ ENI (Ente Nazionale Idrocarburi) is the major Italian oil and gas multinational company, operating in 73 countries across the globe. In 2016 it ranked 65th in the world for revenue. See ENI official website: <<https://www.eni.com>>. The company is currently on trial, together with Shell, for bribing in Nigeria. Global Witnesses labels it as the biggest corporate corruption trial in history. See Global Witness (20 December

countries' border police to identify traffickers and smugglers. In other terms the EU has paid, and still pays huge bribes with the objective of blocking the migrants from crossing borders¹²¹.

2.6.1 Niger: EU borders externalization

Niger, as first transit country for the massive Nigerian migration flow, is going to receive 50 million euro from Italy between 2017 and 2018 "to strengthen its borders"; money will be given in 4 tranches depending on the achievements performed by the Nigerian State, on its capacity to deliver results. The Italian government has also proposed to establish reception centers in Niger. This would broaden the strategy pursued at a political level of border externalization.

2.6.2 Libya: memorandum of "misunderstanding"

In February 2017, Italian foreign policy went further in pursuing the externalization of border control policy with the formalization of a Memorandum of Understanding with Libya as current main transit country for African migrants, similar to the one signed with Niger. The amount of money promised by Gentiloni to Al Serraj (Prime Minister of the Government of National Accord established in December 2015, and based in Tripoli) is 220 million euro to be allocated to the Libyan coastal guard and to other services instrumental to border control such as the creation of reception centers (which, in fact are detention centres) to keep migrants in the Libyan territory and to prevent them from crossing the Mediterranean.

The senselessness of this decision and the enormous waste of money is not justifiable in the light of the absolute political instability of Libya, whose current government does not hold the recognition of many Libyan tribes and became, since the death of Gheddafi, "no man's land". Paradoxically, the money offered by Italy is already ending up in the traffickers and smugglers hands as the Libyan coast guard, as it has been

¹²¹ASGI Associazione Studi Giuridici sull'Immigrazione (10 November 2017) L'Italia è responsabile dell'azione libica nel Mediterraneo. <<https://www.asgi.it/asilo-e-protezione-internazionale/libia-soccorsi-migranti/>> [accessed 15 November 2017].

ascertained, forms integral part of the circuit of human trafficking.

This injudicious plan is revealing to be a complete failure as it did not stop the departure of boats: as data show migrants were not stopped.

Moreover, left in a state of complete anarchy, Libya's unique profitable economic sector has become human trafficking and smuggling; all the entire country's main revenues are based on the exploitation of Sub-Saharan migrants.

C. EXODUS TO THE PROMISED LAND

Origin country: Nigeria

In order to conduct an in-depth analysis of the transnational sexual exploitation of young Nigerian (mostly Edo) girls in Sicily, it is necessary to investigate the historical and cultural roots of this phenomenon, the diversified cultural aspects and conception of sex, prostitution, magic and success in the African culture, along with the British colonial legacies.

2.7 Ethnic groups: what do we mean by Nigeria and Nigerian?

"My point is that the only authentic identity for the African is the tribe. I am Nigerian because a white man created Nigeria and gave me that identity. I am black because the white man constructed black to be as different as possible from his white. But I was Igbo before the white man came."¹²²

Inhabited since the Paleolithic, the territory corresponding to current Nigeria gave rise to the Nok civilization. In precolonial times it was home to different city-state and kingdoms (Benin, Oyo, Hausa, Yoruba, Igbo, Fulani, Kanem-Bornu, Nri and Ife) representing ethnic groups having their own language and traditions.

Even the foundation of a nation state by the British has not managed, to date, to completely dismantle neither the local kingdoms political power nor the strong feeling of ethnic belonging with all its rich and diversified cultural heritage including traditional religions.

¹²² Chimamanda Ngozi Adichie, C. (2006). *Half of a Yellow Sun*. New York: Knopf.

A Nigerian girl part of this study said once that “there is not such a thing as Nigeria or as a Nigerian”. The artificiality of national boundaries drawn by the British colonizers has not yet stopped bringing its harmful consequences yet. Not only in terms of separation of ethnic groups in different nation states but also in assembling in one single nation people with completely different backgrounds, beliefs and traditions. Whether this is the result of British political strategy or negligence we will never know. The problem of identity and belonging in Nigerians keeps anyway being very relevant.

When asked about her origin, very often a Nigerian girl would answer Edo, Bini, Igbo, Hausa or other ethnic groups.

Nowadays, the country is home to over 300/400 major and minor ethnic groups¹²³, united by a common flag and currency: the naira.

2.8 Political & economic foundations of Nigeria: Royal Niger Company's firstborn

Over half of the world's refugees come from countries invaded by Britain. Nigeria is no exception.

The first contacts of Nigerians with the Europeans, firstly the Portuguese, were due to the trade of slaves and later of commodities. Territorial conquest and access to the territory corresponding to today's Nigeria started therefore through the trade door, exactly as, *mutatis mutandis*, and respecting formalities, it happens today through the Western oil companies in the Niger Delta, although in the formal respect of the laws.

The 16th century saw the beginning of the 300-year Transatlantic Slave Trade having as a hub the area embracing Southwestern Nigeria, Togo, Benin and Ghana, which became known as “The Slave Coast”. The European merchants were of Portuguese, Dutch, French, English, Spanish, German, Danish, Norwegian and Swedish origin.

¹²³ IOM. (2006) Migration, human smuggling and trafficking from Nigeria to Europe. (By Carling, J.), p.76.

The pivotal role played by Lagos in the slave and ivory trade attracted the interest of the British who started colonizing the city in 1861, the same year of the unification of Italy.

The Royal Niger Company, officially founded by a British merchant called Goldie¹²⁴ in 1879, set the foundations for the colonization of Nigeria¹²⁵; Mr Goldie, called the “father of Nigeria”, was granted concessionary power on the territories of the Niger Delta by authorities of another State, namely Britain, before the beginning of the British colonial time in Nigeria, officially started only in 1914. Though in the era of human rights these past actions are labelled as acts of invasion and of foreign intrusion in the right of self-determination of peoples, at present the same



Illustration 11: The Benin Kingdom

actions are officially labelled as war on terror or security policies; whatever the label may be they bear the same arrogance and illegitimacy.

Using the same system of alliances that foreign multinationals are using today with Nigerian politicians, British occupation became finally

¹²⁴ Pearson, S. (1971) *The Economic Imperialism of The Royal Niger Company*. Stanford University, Food Research Institute Studies. Issue 01.

¹²⁵ Metz, H.C. (ed.) (1991) *Nigeria: A Country Study*. Washington: GPO for the Library of Congress.

successful thanks to the cooperation agreement with local kings and chiefs. Only in 1960 Nigeria is declared independent from the British who finally disappear from the Nigerian political arena but remain as cultural and economic power. Former colonial empires do not mind political independence as much as they mind economic independence. The latter is still withheld through the presence of multinational companies and the Structural Adjustment Programs managed by the IMF and WB, *longa manus* of the so-called First World or better Minority World in an angel's disguise.

Political liberation has not yet been accompanied by economic and financial independence. Subjugation to the West and a deep cultural decolonization seem still out of reach.

2.9 Historical roots of the Edoland

The glorious past of Nigeria dates back to the Middle Ages, time during which the Kingdom of Benin (Edoland), stretched in the territory comprising the current Edo and Delta States, was flourishing. For seven centuries the kingdom of Benin (1180-1897) has represented one of the major powers in Western Africa. The "Oba", considered as a god, was the political ruler of the kingdom, the chief social and civil authority as well as the spiritual leader of the community.

The power and influence of his presence are still felt anywhere starting from the Edo language: salutations of Bini community still indicate his cultural dominance. Obowie, Obavan and Obota, originally meaning King of the morning, afternoon and evening, are used as salutations.

Two characteristics of the kingdom were polygamy and slavery. The Oba palace in Benin City, capital of Edo State, still represents a reference point for the Edo community. Whereas in golden times he was the owner of all the Edo land, in the modern era he was involved in the slave trade with Europeans. In the contemporary era, notwithstanding his role has been confined to the one of spiritual guide, he still speaks with authority. His

advices have a strong weight in his people's decisions.

The efforts of some Italian associations asking this authority for his intervention to publicly discourage the migration of young girls for the prostitution market in Italy have not yet sorted out the expected result.

2.10 Sociopolitical, demographic & health profile of the Nairaland

In order to adequately observe the exploitation phenomenon in its real perspective, it is crucial to analyze self-explaining statistical data on the girls' main geographical area of origin.

From a religious perspective Nigeria can be split into two macro-areas inhabited by Muslims in the North and Christians in the South.

The national legal system, officially grounded on common law, is strongly influenced by tribal laws, besides the *sharia* in Northern Muslim states.

The tormented political history of Nigeria has seen a rotation of military and civilian rule since its independence. The current president, Muhammadu Buhari, is a military ruler who has governed the country in the 80s after a coup; he has been legitimately governing Nigeria since the election of 2015. His rule has been characterized by the fight against corruption and terrorism.

After a brief overview on Nigerian data at national level, we will focus on state (Edo) and provincial (Oredo) level, given that 94-95% of all exploited girls originate from this area¹²⁶.

Hosting 191 million people in 2017 (three times the Italian population), the Federal Republic of Nigeria, composed by 36 states and part of the Commonwealth of Nations, is the most populous country in Africa and the 7th in the world¹²⁷. A UN projection ranks it 3rd most populous country in

¹²⁶ Aronowitz indicates 95% and UNODC 94%.

Aronowitz, A. (2001) *Smuggling and Trafficking in Human Beings: the phenomenon, the markets that drive it and the organizations that promote it*. European Journal on Criminal Policy and Research 9. p.183.

And

UNODC (2006) Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo. UN. p.12

¹²⁷ UN (June 2017). World population projected to reach 9.8 billion in 2050.

<<http://www.un.org/sustainabledevelopment/blog/2017/06/world-population-projected-to-reach-9-8-billion-in-2050-and-11-2-billion-in-2100-says-un/>> [accessed 22 November 2017].

the world by 2050 (400 million people) after India and China¹²⁸. Among all world countries, Nigeria is the fastest growing and its share of world population presently accounts for 2,52%.

Nigerian population, as it is the case in all the Majority World, is very young, and life expectancy increased in 2015 up to 54.5 years¹²⁹. A key data worth to be highlighted in this research regards median population age, which is 18 years. Almost half of the whole Nigerian population is under the age of 14.

As for nominal GDP, Nigeria ranks 22nd at world level according to the UN and 27th according to IMF and WB, surpassing Denmark, Norway and Austria. Because of its vast population, its ranking of GDP per capita makes it 126th. It became a food importer despite having been an agricultural products exporter (especially of palm oil, coconut and sugarcane) for a long time. This is probably due to the conversion of land by multinationals for export trade.

The country's economy is mainly based on the tertiary sector (50%) and oil extraction (15%)

Among the top 20 causes of death in the country, WHO indicates influenza and pneumonia (1st), HIV/AIDS (2nd), Malaria (6th), Road Traffic Accident (11th), Malnutrition(12th), Violence (19th).

HIV/AIDS is a worrisome issue at national and local level: 25% of the whole Nigerian population reported HIV/AIDS illness.

The Ministry of Health in Benin City reports that in the entire Edo State 120 out of 188 cases in 2006 and 721 out of 2.339 cases in 2012 regarded the inhabitants of the Oredo Local Government Area (LGA). Therefore the Oredo LGA results being the most HIV-infected area. According to UNAIDS data¹³⁰ the highest estimated HIV prevalence in all

¹²⁸ UN (2015) *The World Population Prospects: 2015 Revision*. New York: UN

¹²⁹ WHO (2015) Nigeria: Statistics <<http://www.who.int/countries/nga/en/>> [accessed 22 November 2017].

The average between male and female life expectancy gives as a result 54,5 years.

¹³⁰UNAIDS & World Bank (2010) *New HIV Infections by mode of transmission in West Africa: A MultiCountry Analysis*. Available at

West Africa regards Nigeria, as a country, and sex workers, as major risk group (35%).

2.11 Edo State today

The Edo State celebrated in August 2016 its 25th foundation anniversary. Founded in 1991, it counts 4 million inhabitants¹³¹ and is subdivided into 18 Local Government Areas. Capital of the Edo state, and of the Oredo LGA, is Benin City, which is the Nigerian girls world trafficking hub.

REVENUE RECEIVED FROM POSTAL SERVICES BY LGA, EDO STATE 2008-2012

LOCAL GOVERNMENT AREA	('000)				
	2008	2009	2010	2011	2012
AKOKO-EDO	448,897.75	428,335.00	693,860.00	984,158.00	824,019.00
EGOR	12,212,090.60	10,152,393.92	12,044,345.75	16,030,280.50	14,220,027.75
ESAN CENTRAL	710,399.00	375,379.00	528,507.00	659,810.75	593,919.00
ESAN NORTH-EAST	4,153,905.95	3,180,909.95	2,475,018.00	1,841,888.00	1,554,887.00
ESAN SOUTH-EAST	661,889.25	654,938.00	827,624.50	667,814.00	793,623.00
ESAN WEST	4,001,034.60	3,353,603.00	3,557,323.35	3,511,658.25	3,859,670.00
ETSAKO CENTRAL	202,534.90	151,124.00	284,220.00	350,973.00	300,425.00
ETSAKO EAST	285,110.10	200,635.00	373,918.00	403,993.00	299,600.00
ETSAKO WEST	5,504,507.66	4,711,262.34	5,861,191.00	5,990,490.00	6,251,799.00
IGUEBEN	365,080.10	354,465.00	208,910.00	342,083.00	254,476.50
IKPOBA-OKHA	96,908.00	52,625.00	59,220.00	59,500.00	75,850.00
OREDO	190,650,100.96	201,213,055.40	186,037,782.73	197,909,299.33	173,646,608.75
ORHIONMWON	302,719.58	244,140.00	345,829.00	441,010.00	274,400.00
OVI NORTH-EAST	519,987.90	1,093,027.25	692,574.00	745,057.60	512,642.50
OVI SOUTH-WEST	-	-	-	-	-
OWAN EAST	197,277.85	102,450.00	156,270.00	336,800.00	113,380.00
OWAN WEST	476,642.96	260,558.00	440,292.50	560,931.00	589,938.00
UHUNMWONDE	458,624.90	170,300.00	267,700.00	519,200.00	220,490.00
TOTAL	221,247,712.06	226,699,200.86	214,854,585.83	231,354,946.43	204,385,755.50

Source: NIPOST BENIN CITY

Illustration 12 Edo State Revenues from postal services

As Nigerian national statistics indicate, the Oredo LGA in the Edo State hits many inglorious records. Besides having a high unemployment rate¹³², it is the most violent (highest imprisonment rate¹³³), the most expensive (highest cost of agricultural products and food in general¹³⁴), and the one

http://www.unaids.org/en/media/unaids/contentassets/documents/countryreport/2010/201003_MOT_West_Africa_en.pdf [accessed 22 November 2017].

¹³¹ Government of Nigeria (2013) The Edo State Statistical Year Book 2013. Nigerian National Bureau of Statistics. Available at <www.nigerianstat.gov.ng> [accessed 22 November 2017].

¹³² UNODC, NAPTIP, NIS (2012) *Knowledge, Attitudes and Perceptions on Trafficking in Persons and Smuggling of Migrants in Nigeria - A Baseline Survey*. EU/UNODC project "Promoting Better Management of Migration in Nigeria by Combating and Reducing Irregular Migration that occurs, inter alia, through Trafficking in Persons (TIP) and Smuggling of Migrants (SOM)" - NGA X41. Available at <https://www.unodc.org/documents/nigeria/Grants_Applications/Baseline_Assesment_on_Knowledge_Attitude_and_Perception_of_TIP_and_SOM_3.pdf> [accessed 22 November 2017].

¹³³ Government of Nigeria (2013) The Edo State Statistical Year Book 2013. Nigerian National Bureau of Statistics. Available at <<http://nigerianstat.gov.ng/download/213>> [accessed 22 November 2017].

¹³⁴ Ibidem

with the highest revenues.

Among the 18 LGA of the Edo State, Oredo records revenues by postal services in 2012 amounting to 173 million Naira whereas in the poorest of the 18 LGA, Ikpoba-Okha, revenues accounts for 75 thousand naira¹³⁵. Money circulation is of enormous proportion in Oredo, as the table shows. Most of this revenues come from transnational prostitution in Europe.

UNODC refers that based on NAPTIP work on prosecution and protection, 98% of all the rescued victims of trafficking and 47% of all the convicted traffickers are from Edo State¹³⁶.

2.12 Family law in Edo Culture: de facto and de iure

As in many other aspects of everyday life, Nigerian local cultures overcome national official legislation. With respect to federal family law, for example, it is possible to identify a practice which openly mismatches legislation: polygamy. It is a distinctive feature of Edo families, often unbound from the profession of faith. The polygamous practice is the result of many factors: traditional tribal culture, poverty, Muslim presence. Past tribal customs, combined with the necessity to have as many children as possible in order to guarantee a sufficient labor force and a safe aging to parents, caused the spread of this practice. Empirical evidence shows the social acceptability of this custom, practiced all over the country¹³⁷. With the exception of 12 northern Muslim states (half of the whole country) where polygamous unions are legal, in the rest of the Nigerian territory they are classified as an infringement of the law.

De facto, men can have as many women as they wish, causing family disintegration. Indeed, family unions preceding the British conquest were

¹³⁵ Government of Nigeria (2013) The Edo State Statistical Year Book 2013. Nigerian National Bureau of Statistics. Available at <<http://nigerianstat.gov.ng/download/213>> [accessed 22 November 2017].

¹³⁶ UNODC, NAPTIP, NIS (2012) *Knowledge, Attitudes and Perceptions on Trafficking in Persons and Smuggling of Migrants in Nigeria - A Baseline Survey*. EU/UNODC project "Promoting Better Management of Migration in Nigeria by Combating and Reducing Irregular Migration that occurs, inter alia, through Trafficking in Persons (TIP) and Smuggling of Migrants (SOM)" - NGA X41. Available at <https://www.unodc.org/documents/nigeria/Grants_Applications/Baseline_Assesment_on_Knowledge_Attitude_and_Perception_of_TIP_and_SOM_3.pdf> [accessed 22 November 2017].

¹³⁷ Omorodion, F.I. (1993) Sexual networking among market women in Benin City, Bendel State, Nigeria. In Health Transition Review (Supplement), 3:1-11.

quite stable according to some Nigerian historians. The influence of the hedonist-oriented so-called western civilization might have had an impact also on family values such as the institution of marriage which has been rapidly changing over the last century. Scholars such as Igbafe attribute the drift of the concept of indissolubility in indigenous marriage to the British presence in Africa. He affirms that “the most important feature of indigenous marriage was its indissolubility (...)” and that “under native law and custom it had a recognized stamp of permanency”¹³⁸. Though often polygamous, marriage in precolonial time was considered a stable, sacred and indissoluble act.

Recruitment: entry route into prostitution

2.13 Push Factors

The first and paramount migratory “push factor” in the case of Nigerian girls is poverty. *Illustration 13. Poverty in Nigeria by State*



According to the UN MPI (United Nations Multidimensional Poverty Index measuring Health, Education and Life Standards) Report, 46% of

¹³⁸ Igbafe, P. (1979) Benin under British Administration. London: Longman. p.19.

Nigerians live below the national poverty line: 28% in urban areas and 70% in rural areas. Life expectancy according to the World Bank is 54 years¹³⁹

Secondarily, these girls flee from gender inequality.

The Gender Inequality Index, measuring the "gender gap" in health, education, political representation and labor market places Nigeria at the 152nd place out of 188 countries. Italy ranks 27th¹⁴⁰.

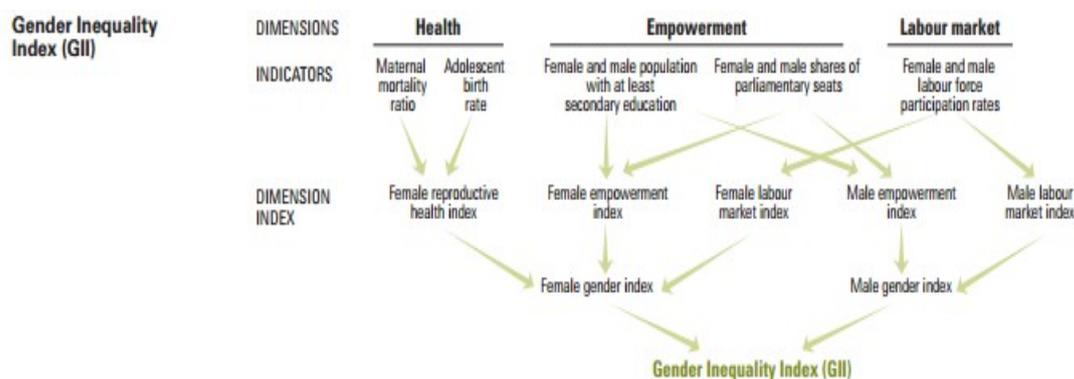


Illustration 14: Gender Inequality Index Elements Source:UNDP

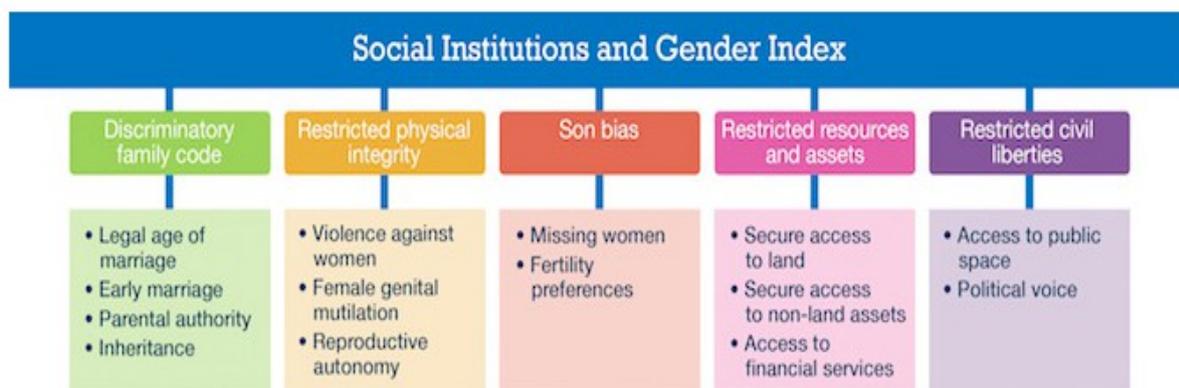


Illustration 15: OECD SIGI

Nigeria places itself at the bottom of the OECD SIGI (Social Institution and

¹³⁹ World Bank (2015). Life expectancy at birth. Available at <<https://data.worldbank.org/indicator/SP.DYN.LE00.FE.IN>> [accessed 22 November 2017].
¹⁴⁰ UNDP (2016) Human Development Reports. Table 5 on Gender Inequality Index. Available at ><http://hdr.undp.org/en/composite/GII>> [accessed 22 November 2017].

Gender Index) which intends to measure discrimination of women in terms of education, employment, social institutions (child marriage), hereditary practices, gender-based violence, limited access to public space or to land and credit.

The data about child marriage is quite alarming: 40% of Nigerian girls marries before the age of 18. More alarming is the data about Nigerian women aged 15-19 years: 28% are already married, separated, divorced or widowed.

The percentage of female owners of lands or houses in Nigeria is as low as 7%. According to traditional law women cannot even inherit.

Girls flee from Nigeria because of orphanhood¹⁴¹, unsustainable family situations, high pressure from the family of origin, lack of prospects, violence and conflicts of civil, military, ethnic or religious nature, lack of freedom and real democracy, and widespread corruption.

The Corruption Perceptions Index by Transparency International shows that Nigeria is one of the most corrupt countries in the world: it is 136th out of 177 countries (Italy ranks 61st). The most corrupt categories are: policemen, politicians and judges.

"Nigeria is estimated to have lost over \$400 billion to corruption between independence and 1999"¹⁴².

The UN stresses that Nigerian women and girls in the North of the country were forced to "exchange sex for food" as a "source of income for desperate families"¹⁴³.

Last but not least, desertification and pollution are considered the most

¹⁴¹ UNICEF reports that in 2008 Nigeria had over 7 millions orphans. Quoted by Boston University (2009) *Nigeria Research Situation Analysis on Orphans and Other Vulnerable Children*. USAID. Available at <<http://www.bu.edu/cghd/files/2009/12/Nigeria-Research-Situation-Analysis-Country-Brief.pdf>> [accessed 22 November 2017]. p.1

¹⁴² UNDP (2016) *Global Development Report 2016*. New York: UN. Available at <http://hdr.undp.org/sites/default/files/2016_human_development_report.pdf> [accessed 22 November 2017]. p.118.

¹⁴³ UN (2017) *8th Annual Report of the Secretary-General on Conflict-Related Sexual Violence*, p.22. Available at <http://www.un.org/en/events/elimination-of-sexual-violence-in-conflict/pdf/1494280398.pdf> [Accessed 17 November 2017].

challenging environmental factors.

2.14 Pull Factors

The most common migration “pull” factors, or factors of attraction are first and foremost the mirage of prosperity and material wealth followed by expectations of a steady job, curiosity about the Western world, ease of entry and residence (also illegal) in Italy, presence of friends, relatives, and of Nigerian communities already settled in Italy, possibility to stay for many years in illegal circuits without being disturbed by the police, a low level of racism among Italian and in particular Sicilian people.

A very significant pull factor reported by the Nigerian police is legalized prostitution in some European countries¹⁴⁴

Interesting statistical data¹⁴⁵ provided by the Ministry of Justice on the basis of case law explore the reason why Nigerian victims of HTSE come to Italy: in 84,5% of the examined sample, the victims came to look for a job and only in 5,8% for prostitution and in 4,4% out of coercion.

In my fieldwork I had the opportunity to get in contact with girls belonging to the 3 mentioned categories: most of them come to Europe because they want to have a job (not considering prostitution as a job as my key informants say) and send money back home.

2.15 Gender comparison: decision power differentials

A research conducted by IOM in 2016 shows that while 82% of all male migrants decide to leave the origin country autonomously, for 41% of female migrants the decision to migrate is taken by another person including family (major influence factor), partner and friends¹⁴⁶.

Nigerian girls' decision power and therefore agency results very much

¹⁴⁴ Cullen-DuPont, K., Neuwirth, J., and Bien-Aimé, T. (2009) *Human Trafficking*. New York: Facts on File.

¹⁴⁵ Statistical study based on case law, made by the Minister of Justice.

Italian Minister of Justice (2015) *La tratta degli esseri umani*. Available at <https://webstat.giustizia.it/Analisi%20e%20ricerche/Rapporto%20DgStat%20sulla%20tratta%20degli%20esseri%20umani.pdf> [accessed 22 November 2017]. p.6.

¹⁴⁶ IOM (2016) *Study On Migrants' profiles Drivers Of Migration And Migratory Trends*. Rome: IOM. p.25. Available at <http://www.italy.iom.int/sites/default/files/news-documents/Migrants%20Study%20-%20FINAL%20ENG%20VERSION%20-%20ELEC.pdf> [accessed 22 November 2017]. p.31

hampered by gender differentials.

2.16 Geographical origin of the girls

Geographical origin indication of exploited girls, according to key informants and expert witnesses of this research, mainly relates to three Nigerian rural southern states: Edo State (Benin City) , Delta State (Asaba and Warri) and Yoruba State. The first one embraces almost the entirety of exploited girls, hitting over 90% of all the prostituted Nigerians in Palermo, the second one 5%. According to IOM, 86% of Nigerian trafficked women come from Edo State and 7% from Delta State¹⁴⁷.

NAPTIP corroborates the finding that Edo State is the main origin of externally trafficked girls¹⁴⁸.

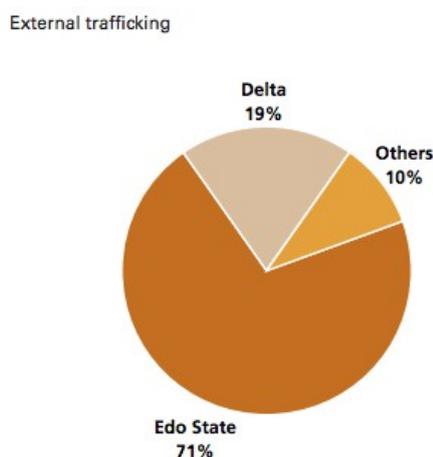


Illustration 16: Geographical origin of trafficked girls. Source: Naptip

The Italian Ministry ulteriorly confirms this information analyzing the origin of Nigerian victims of human trafficking repatriated to Nigeria from Italy¹⁴⁹.

¹⁴⁷ IOM (2006) Migration, human smuggling and trafficking from Nigeria to Europe. (By Carling, J.). The data from my fieldwork coincides with these statistics.

¹⁴⁸ Pie Chart containing NAPTIP data reported by UNODC (2009) Transnational Trafficking And The Rule Of Law In West Africa: A Threat Assessment. p.45. <https://www.unodc.org/res/cld/bibliography/transnational-trafficking-and-the-rule-of-law-in-west-africa_a-threat-assessment_html/West_Africa_Report_2009.pdf>.

¹⁴⁹ Pie Chart containing Italian Ministry of Interior data reported by UNODC, Transnational Trafficking And The Rule Of Law In West Africa, p.44.

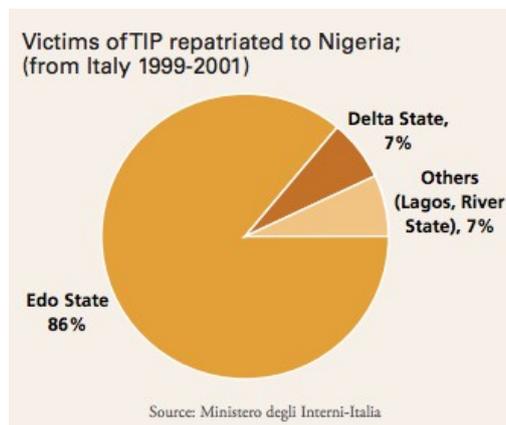


Illustration 17: Geographical origin of trafficked girls.

Source: Ministry of Interior

The Nigerian UFM (Unaccompanied Foreign Minors), around 37-46% of the total¹⁵⁰, have frequently a very high level of vulnerability preceding the migration. Most of them have a very low schooling grade or are completely unschooled. They are often the youngest or the first born daughters: in Nigerian culture, apparently, the eldest or the youngest is required to financially support the brothers and sisters' studies.

2.17 Families of origin

Family disruption is at the root of trafficking. If we analyze the stories of girls we notice that this element is a common denominator. However, family ties keep being very strong throughout the girls' lifetime.

Recurrent characteristics of the girls' families of origin are the following:

- large single-parent families headed by the mother (often second/ third wife of the father, irrespective of religion)
- absence and irresponsibility of the father (by death, polygamy, lack of interest).

Orphan or poor girls are normally entrusted to their uncles and aunts or other relatives because their family cannot afford feeding them. Many UFM reported abuses by their relatives or even being sold by them.

¹⁵⁰ See the data provided by both NAPTIP (reported by Nkememena in Press Coverage of Child Trafficking In Nigeria) and APG23, I numeri della tratta in Italia.

Some girl-children flee from home as a reaction to systemic abuses perpetrated by their own family and with the intention of empowering themselves. Nonetheless, contrary to their plans and expectations, they become an easier prey of traffickers and manipulators.

Many researches confirm empirical findings of this fieldwork regarding the girls' families of origin (OIM, UNODC, UNICRI and others). Whereas some families of origin were unaware of the trafficking risks and objectives till few years ago, at present, especially in urban areas, most of them know what kind of work their daughters are going to be engaged in. Despite the public silence on the subject due to a social taboo, everybody in Benin City and surroundings at least has heard the epithet "Italian girls" with whom people refer to Nigerian female student's low performance: those adolescents who don't have good grades at school because of laziness would be fit for "that" kind of job¹⁵¹.

Families are the first blackmailers and exploiters as they keep pressure on girls to receive money from abroad, sometimes inventing all sort of non-existent health necessities. They even sign contracts with traffickers offering their properties as collaterals¹⁵². The debt bondage ends up chaining the whole family.

As Okoedion reports, Italy is very well-known as THE destination of those working in the prostitution market, up to the point that at present, in complete opposition to the past, women prefer to give birth to baby girls than boys. Girls are a better investment for them than boys as they can be easily sent abroad and exploited.

One of my key informants reported that her mother had sent all her brothers to school and college while she had been kept illiterate with the aim of getting revenues for the whole family: she was sent since the age of 7 to work in Nigerian brothels for lesbians and at the age of 17 was sent to Libya and then Italy¹⁵³.

¹⁵¹ Okoedion, Il coraggio della libertà.

¹⁵² Ezech, M. (2017) Human trafficking and prostitution. Xlibris

¹⁵³ Life story of Favour, Chapter 1, par.1.5.

In a Nigerian trial on human trafficking “the parents of the girl named in the charge came one by one begging him to carry their sons and daughters abroad (...) They still begged him to carry their children (...) he later promised them that he would take them to Libya and get them hairdressing and tailoring jobs before they will cross over to Italy to continue with the same jobs¹⁵⁴”.

Entire neighborhood of Benin City, such as Upper Mission were built with the revenues of prostitution in Italy and it seems that nobody is ashamed of this¹⁵⁵. On the contrary, people flaunt their wealth notwithstanding the fact that everybody knows the origin of it.

2.18 Mothers or stepmothers

Mothers are a major issue of concerns. Most of them either sell or put psychological pressure on their daughters burdening them with the weight of the responsibility for the survival of the whole family. They believe that Europe is an eldorado and sometimes they do not even want to know how their daughters manage to send money to Africa. Some of them, aware of the “work” their daughters are doing, insist that they be faithful to the pact sealed by the juju.

Some mothers are also raising the girls' children and use them to extort money from their daughters.

This behaviour might be difficult to understand using our mental categories of motherhood. Nevertheless, far from considering Nigerian mothers as “wicked” (though this is the adjective that some girls use to label them), we must keep in mind that life expectancy in Nigeria is around 50 years old and the age in which a woman becomes a mother in Nigeria is much lower than in Europe. Among my key informants, for instance, we find Annabelle, become mother at the age of 13, Ifunanya, pregnant at the age of 16, Favour, mother at the age of 15¹⁵⁶. Young

¹⁵⁴ *Attorney General of the Federation v. Samuel Emwirovbankhoe* (Judgement 22 April 2008) Suit No. B/20C/2005. Nigerian High Court of Justice. Edo State of Nigeria. Benin Judicial Division. Benin City.

¹⁵⁵ Okoedion, *Il coraggio della libertà*.

¹⁵⁶ See Life stories of these girls at Chapter 1 paragraphs 1.1, 1.4 and 1.5.

age, after poverty, can be considered as a variable which might impact on inconsiderate mothers' behaviour.

2.19 A family affair: who are the recruiters

Two thirds of the victims know their exploiter who can be a relative, a husband or a fiancée. Recruiters are most of the times in both the nuclear and extended family network, and that explains why most victims choose not to file a report to the police.

Many girls, as evidenced by numerous studies, are enticed by people they know rather than by strangers. The deceiver counts on the level of trust as he is often a relative, a family friend, a neighbor or an acquaintance part of their enlarged social network. UNODC highlights how “in a study of 400 trafficked children, 147 children (37%) were recruited by a family member”¹⁵⁷.

According to a study of the Ministry of Justice only one third of the victims doesn't know the exploiter before traveling¹⁵⁸.

2.20 Main enticement methods: how they recruit

Marketing the European and especially Italian dream of success is not a difficult task for traffickers, thanks to the invasion of television which has produced comparisons and advertising of wealth idolatry, consumerism culture and western lifestyle.

There are two main different types of recruitment: by deception or by telling partial truths. Deception takes place when girls are offered jobs in Europe as fashion models, hair dressers (very common job in Nigeria), babysitters, caregivers. In the case of telling partial truths girls are informed about the kind of business they are going to do, which is prostitution, but the modalities, coercion, heavy debt bondage and enslavement are concealed.

¹⁵⁷ UNODC (2006) Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo. UN. p.51

¹⁵⁸ Statistical study based on case law, made by the Minister of Justice.

Italian Minister of Justice (2015) *La tratta degli esseri umani*. Available at <https://webstat.giustizia.it/Analisi%20e%20ricerche/Rapporto%20DgStat%20sulla%20tratta%20degli%20esseri%20umani.pdf> [accessed 22 November 2017].

According to the statements of Nigerian girls who issued criminal reports followed by trials in Italy in the period 2009-2013, almost 60% of them were recruited by deception and 1% voluntarily, 40% and 30% respectively by use of violence and threat¹⁵⁹. The overlapping percentages indicate the combination of the methods used.

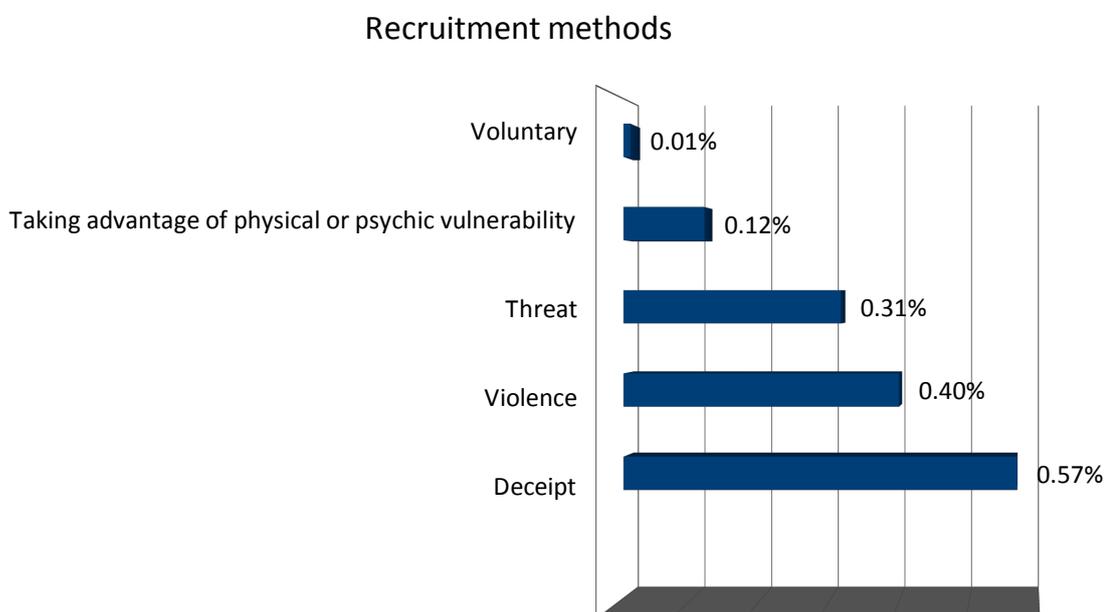


Illustration 18: Recruitment methods

The Nigerian prostitution report by ILO and the EU Commission fully confirm these data, naming these recruitment methods “human trafficking indicators”, which coincide with what above described: deceptive recruitment, coercion, abuse of vulnerability, exploitative conditions of work.

2.21 Places: where traffickers recruit

Recruitment of young teenage girls takes place in several real and virtual spaces. Among the main real spaces chosen for a face-to-face approach with the scope of recruitment we find public places: schools and markets.

2.21.1 Schools

Teenagers are waited at the end of their studying time in front of school

¹⁵⁹ Statistical study based on case law, made by the Minister of Justice. Italian Minister of Justice (2015) *La tratta degli esseri umani*. Available at <<https://webstat.giustizia.it/Analisi%20e%20ricerche/Rapporto%20DgStat%20sulla%20tratta%20degli%20esseri%20umani.pdf>> [accessed 22 November 2017]. p.6.

entrances by human trafficking stakeholders who appeal to them by flattering their beauty and promising a successful job in the show business. Discrimination in access to school has a huge gender dimension caused by parental unsupportive behavior. Onochie comments that according to Nigerian mentality “woman’s education ends in the kitchen”¹⁶⁰ .

Okoedion (2017) confirms that patriarchal cultural traditions rooted in Nigerian mentality (even of high strata of society) make the man-woman roles construction impossible to demolish. Women are not supposed to have a high level of education since their aim in life will be to be good wives and nothing else. The study conducted in 2010 by Onochie blames outdated parents attitude and shows its negative influence on girls aspirations for higher education, which make them more and more vulnerable to the proposals of traffickers¹⁶¹.

2.21.2 Benin City markets

Benin City market sellers, predominantly women, are also often part of the exploitation ring according to my key informants. They do not need to look for girls as girls themselves go shopping and cross their path. Likewise, they promise successful lives in the playground of wealthy Europe. The main “recruitment” days are four and correspond to the four major market days of Benin City called Ekioba, Ekenaka, Agbado and Eken. These names reflect the Bini week which was composed, instead of 7, by 4 days, symbol of the cardinal points¹⁶². The names of ancient markets start with “eki”, Bini word for market. The information on Benin City markets was provided by my key informants and then cross-checked with other sources¹⁶³. The urban marketplaces mentioned are: the Oba

¹⁶⁰ Onochie, O. (2010) Guilty or Not Guilty? How Nigerian Families Impede the Aspirations of Nigerian Girls for Higher Education. In US-China Education Review. June 2010, Volume 7, No.6 (Serial No.67) . p.1. Available at <<https://files.eric.ed.gov/fulltext/ED511285.pdf>> [accessed 22 November 2017].

¹⁶¹ Ibidem.

¹⁶² Peavy, D. (2010). *Kings, Magic and Medicine*. Lulu. p. 47.

¹⁶³ See Peavy, 2010.

Roese, P. (2004) *A popular history of Benin*. Frankfurt am Main: Lang.

Ezedinma, C. (2007) *Socioeconomic Studies on Selected Cassava Markets in Nigeria*. Ibadan: International Institute of Tropical Agriculture.

market (eki-oba), the God's market (eki-osa), Agbado market (eki-agbado), Oliha, Edaiken and Santana.

The Oba market is believed to be one of the the oldest and largest of the city, dating his presence back to the XVth century and strategically located in downtown. A bronze statue and shrine is placed just opposite the market entrance in memory of a woman trader. Items sold in this market include food, clothes and jewelery.

The God's (osa) or Kemwinkemwin (local name for the material used for rituals) market owes its name to the arrival of the Jehova witness missionaries who used this area as a gathering space for preaching. Taking advantage of these occasions, sellers started installing there their merchandise for sale, giving raise to the actual market. Presently, apart from foodstuff and agricultural products, this market is a renown place for the purchase of ritual objects.

Ekiagbado was the first market at the time of the Benin kingdom. Main articles sold here are plastics and cooking utensils.

Oliha market is famous for the sale of worship objects such as animal (goat, monkey, pigeon, owl, hyena) skulls, alligator pepper, tortoise (an African spice used in rituals to clean abomination), native chalk (used for juju dances), cowries ("shell money" used in the past as currency¹⁶⁴) .

Edaiken also known as Uselu Market has the students of the University of Benin City as major customers, being close to this institution. Almost none of my key informants who enrolled in the university managed to reach the conclusion of an academic path.

Santana market, located in the southern part of the city, along the Benin-Warri Road, sells fish fished in the bordering Delta State, which boasts

Aikhionbare I. (2015) *Top Ten Popular Markets in Benin City, Edo State Nigeria*. Infoguidenigeria.com. <<https://infoguidenigeria.com/top-10-popular-markets-in-benin-city-edo-state-nigeria/>>. [Accessed 20 May 2017].

"Benin City's Ritual Markets" (2013) Naija.ng. <<https://www.naij.com/51267.html>>. [Accessed 20 May 2017].

¹⁶⁴ Eatwell, J. (ed.) (1991) *The World Of Economics*. London: The Macmillan Press.

one of the main Nigerian ports, Warri, area of origin of 5% of exploited Nigerian girls in Palermo.

2.21.3 Churches

Before going to the heart of this topic it is crucial to understand how churches are founded and function in Christian Africa and, better said, in the area that we call nowadays Nigeria resulting from a clumsy attempt by the British colonial empire to design straight lines on a geographical map. As Nigerians themselves say, there is no such a thing as Nigeria, that area of Africa is a disordered and disunited mixture of tribes and peoples with very different traditions and history.

Apart from the hierarchical and centralized Churches (Catholic, Anglican), an impressive and diversified number of new evangelical, baptist and especially pentecostal churches keeps flourishing every few months in Nigeria. Their common ground consists in a syncretic belief mingling christianity, animism and magical conceptions. Therefore, religion, superstition, social costumes and tribal traditions constitute the common denominator as well as the pillars of these new non-state institutions. Behind the proliferation of churches, strong economic along with power interests are embedded¹⁶⁵. Believers support them financially, granting them up to 10% of their income (tithe), hoping to receive a blessing that would set a multiplier effect off in their pockets. Obiora calls the proliferation of churches in Nigeria a capital disgrace and makes an account of modern Nigerian spiritual industry and church proprietorship. "Self-appointed and stooge prophets" are people who attach to themselves the name of pastors and bishops in order to develop a "multi-million naira business"¹⁶⁶. "Churches' proliferation walks with the feet of an Alfa Romeo or a Toyota Lexus"¹⁶⁷. The definition of "cash and carry pastors" by Obiora is undoubtedly grounded on the reality of men of God dressed in expensive shiny shoes and elegant suits.

¹⁶⁵ Obiora, F. (1998). *The divine deceit*. Enugu, Nigeria: Optimal, p.59.

¹⁶⁶ Ibidem.

¹⁶⁷ Ivi p. 58.

The presence of African churches in Italy reflects firstly the need for aggregation of foreigners in a foreign land. A church is a place of worship, where migrants can pray, get married, feel safe, meet up, celebrate with other fellows from the same country, share experiences, blow off steam, receive the laying on of the hands in the form of a liberation prayer such as an exorcism to be liberated by evil spirits or a charismatic healing prayer to get health, enjoy worship music, dance and clapping, find consolation to their troubles, prophetic answers to their questions, spiritual and moral support, company on Sundays in times of loneliness, and advice from a man of God, namely the pastor. This is what ideally an African church is. Or should be.

2.21.4 Recruitment 2.0

Recruitment methods are shifting to include the use of the new technologies developed over the Internet, the easiest and least risky instrument. Young sex slaves 2.0 are easily recruited through websites, social networks and apps.

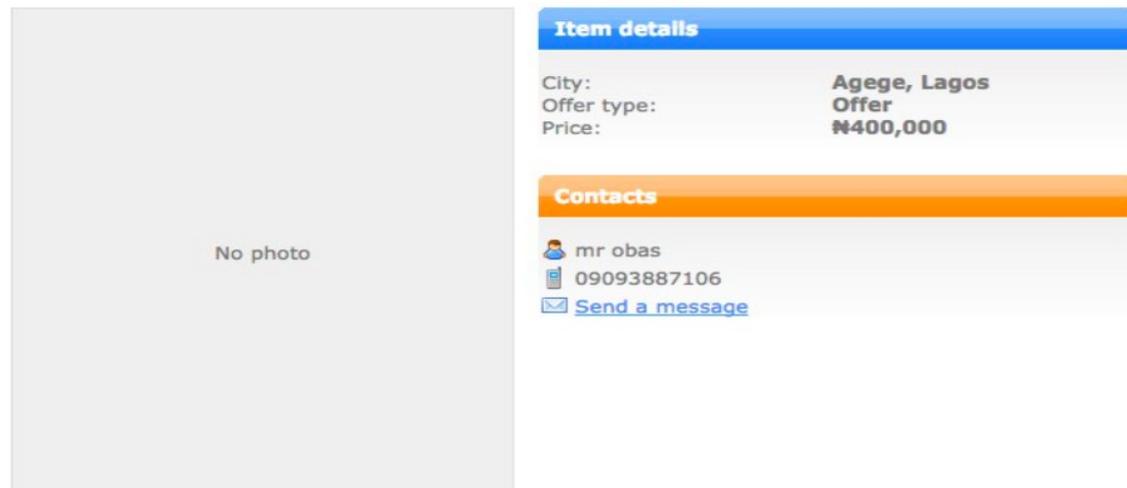
Not only there is a number of websites proposing inexistent jobs in Italy but also fake facebook profiles through which traffickers contact unaware girls and offer an attractive and wealthy life overseas.

Recruitment 2.0 is becoming more and more frequent and less tiresome than convincing girls in the markets, schools or churches of Benin City. In the end, the big exploitation market is already at users' fingertips. It is enough to google "how to go to Italy from Benin City" to get an immediate answer¹⁶⁸, as shown in the illustration below. Even if a girl does not have at her disposal someone from whom she can borrow 1000 euros, corresponding to about 400,000 naira, the adventure to "go to Italy by land" can easily start through the support of "sponsors".

¹⁶⁸ *Benin-City.Adsafrika.com.ng* <<http://benin-city.adsafrika.com.ng/item/17135/>> [Accessed 20 March 2017].

Travel to italy by land genuinely - Agege

Sunday, 10 April 2016



The image shows a screenshot of an online marketplace listing. On the left, there is a large grey box with the text "No photo". To the right, there is a section titled "Item details" with a blue header. Below this, the following information is displayed: "City: Agege, Lagos", "Offer type: Offer", and "Price: ₦400,000". Below the item details is a section titled "Contacts" with an orange header. Underneath, there is a profile icon for "mr obas", a phone number "09093887106", and a blue link that says "Send a message".

Illustration 19: "Go to Italy by land" internet offer"

2.22 Migratory pact: the oath

In Nigerian culture, as well as in the whole Afrocentric epistemology, the world of the invisible continuously intertwines with the visible, with the first having a mysterious predominance over the second¹⁶⁹.

In Africa, religious syncretism, esotericism and superstition often melt together, constituting the powerful foundation of rituals. In many Nigerian villages, traditional as well as black magic or affiliation rituals, often include an oath, widely used as a means of fear-based subjection of the person.

The oath is the central thread of the whole exploitation phenomenon. In Nigeria, its use is not limited to the migratory pact, but it extends to any other daily situation.

In everyday life, simple oaths are taken in the presence of idols (statues of local deities) whenever two people are unable to solve a controversy. They both give a different version of the facts and each of them swears he is telling the truth: the individual who, after the oath, becomes physically or psychologically ill, falls in disgrace, loses one of his beloved ones or even dies, is indicated by the gods as the guilty and thus cursed one. To

¹⁶⁹ Ezeh, M. (2017) *Human trafficking and prostitution*. Xlibris. p.75.

have a rough idea of how much power Nigerians attach to their idols, it is interesting to observe that, in March 2017, Rochas Okorochoa, Governor of the Imo State, invokes the intervention of deities/idols in order to remove corruption counting on both the idols force and the people's fear. He affirms that corrupt "politicians should be made to swear with idols before going into office"¹⁷⁰ because "deities don't have mercy on anyone", whereas "the Bible and Koran are too merciful. That is why some of us do things without conscience knowing that God is merciful and forgiving".

Idols are deifications of ancestors who had a singular life.

2.23 Guarantor of oath-taking: Ayelala

Many girls take the oath in Nigerian shrines dedicated to Ayelala, a deified ancestor become one of the most widely known Nigerian idols. Present in Nigerian culture since precolonial times, according to traditions Ayelala was a slave woman whose scream before being killed became her own name. Indeed, Ayelala means "the world is dreadful". In force of her sacrifice (she was sacrificed to compensate for a woman's adultery) her task is to to punish specific crimes and actions such as murders, stealing, lying, incest, adultery. Furthermore, Ayelala plays the role of guarantor of oath taking. Whoever breaks an oath will have to incur her wrath. Ojo and Kreutzer confirm the intimidatory role of Ayelala in human trafficking¹⁷¹.

2.24 Juju: a fear-based strategy

After the proposal to travel to Italy and the acceptance, the girl is taken to a place, stemming from a traditional shrine to a simple hut, in order to seal the pact in the presence of a witchdoctor. Once she arrives at the

¹⁷⁰ Nigeria Daily News Today (20 March 2017) To End Corruption In Nigeria, Politicians Should Be Made To Swear With Idols Before Going Into Office. *Ngyab.com*

Available at <<http://www.ngyab.com/2017/03/end-corruption-nigeria-politicians-made-swear-idols-going-office-okorochoa/>> [Accessed 20 March 2017].

¹⁷¹ Ojo, M (2014) Incorporation of Ayelala traditional religion into Nigerian criminal justice system: An opinion survey of Igbesa community people in Ogun State, Nigeria. In *Issues in Ethnology and Anthropology*, n. s. Vol. 9. Is. 4 (2014). p. 999.

And

Kreutzer, M. (2011) *The War on Migration and Trafficking into Prostitution from Africa to Europe*. Chapter of the book *Looming shadows: migration and integration at a time of upheaval: European and American perspectives*. Washington, D.C.: Center for Transatlantic Relations, Paul H. Nitze School of Advanced International Studies, Johns Hopkins University.

witchdoctor's place, she is requested to undress and cover herself with white towels or remain naked to swear faithfulness to a transcendent evil spirit that Nigerians call "juju".

This word, borrowed by French, was used with despise by the colonizing powers to indicate a "toy" or a "nonsense" (joujou); in the Nigerian jargon it indicates the voodoo ritual performed by the witchdoctor who cuts and assembles in a cloth wrap a sample of the girls' pubic, armpit and head hair, as well as her fingernails¹⁷². These first four ritual elements symbolize life because they grow and contain keratin, a decomposition-resistant protein. Other items often collected are menstrual blood, the symbol of life *par excellence*, and the girl's underwear. Sometimes a written contract accompanies the ceremony too. All these elements (hair, nails, blood, underwear, contract) are enveloped together and kept by the witchdoctor who, in case of a girl's afterthought such as the decision to exit the prostitution ring, will invoke the revenge of the evil spirits against her. The girl swears that she will repay the debt of the journey to her sponsor under any condition and that she will never reveal the names of her traffickers. In case of breaching, she or her relatives will get ill or mad or eventually die.

The idea that who possesses these elements possesses the girl herself is widely spread and accepted in Nigeria.

The origins of the juju might be rooted in the *Iwaorivi* ritual: on the second day of the funeral, a cloth wrap containing the deceased nails and hair was prepared. The family was the only one taking part in this ritual which sealed and made perpetual the bond between the soul of the deceased and the elder son who would handle the cult of the deceased¹⁷³.

The juju ritual is believed to have such a power that most girls do not dare

¹⁷² UNODC (2014) Global Report On Trafficking In Persons. Available at <https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf> [Accessed 20 March 2017].

¹⁷³ Bradbury, R. (1970) *The Benin Kingdom And The Edo-Speaking Peoples Of South-Western Nigeria*. London: International African Institute.

breaching it even at the cost of their own life. This uncontrollable latent fear will control all their decisions and steal their freedom and peace forever¹⁷⁴.

"No one had ever beheld the Oracle Agbala, except his priestess. But no one who had ever crawled into his awful shrine had come out without the fear of his power."¹⁷⁵

2.25 Laws on Voodoo

With reference to Vodoo rituals, the Nigerian Criminal Code devotes an entire chapter (20) comprising 7 articles of law on Ordeal, Witchcraft, Juju and Criminal Charms¹⁷⁶ just preceding the chapter on sexual offences (21).

Chapter 20, including articles from 207 to 212, point out that Juju rituals are considered as unlawful practices and are punished with imprisonment up to 10 years. In particular, article 210A states that who

"represents himself to be a witch or to have the power of witchcraft; or (...) accuses or threatens to accuse any person with being a witch or with having the power of witchcraft; or (...) makes or sells or uses, or assists or takes part in making or selling or using, or has in his possession or represents himself to be in possession of any juju, drug or charm which is intended to be used or reported to possess the power to prevent or delay any person from doing an act which such person has a legal right to do, or to compel any person to do an act which such person has a legal right to refrain from doing, or which is alleged or reported to possess the power of causing

¹⁷⁴ Kara, S. (2009) Sex trafficking. Inside the Business of Modern Slavery. New York: Columbia University Press.

¹⁷⁵ Achebe, C. (1958). *Things fall apart*. London: Pearson. p.6.

¹⁷⁶ Nigerian Criminal Code Act. Chapter 20. Available at < <http://www.nigeria-law.org/Criminal%20Code%20Act-Tables.htm> > [accessed 22 November 2017].

any natural phenomenon or any disease or epidemic; or directs or controls or presides at or is present at or takes part in the worship or invocation of any juju which is prohibited by an order of the State Commissioner; or is in possession of or has control over any human remains which are used or are intended to be used in connection with the worship or invocation of any juju; (...)

is guilty of misdemeanor.”

Art 213 also deals with fetich “pretended or reputed to possess power”.

We can observe how the Nigerian Government, through its legislation is trying to stop this traditional practice.

Journey: the Black Road

2.26 Trafficking route: transportation and stopovers

After the Silk Road, the 21st century has given birth to the Black Road¹⁷⁷, coinciding with the current back-way migration routes crossing Africa and converging in Libya to reach the so-called “promised land”.

The journey duration has a high variability: it ranges from a month to a year. The main trafficking route from Benin City to Italy directly crosses Niger and Libya and includes the following stopovers: Abuja and then Kaduna, Kano or Sokoto in Nigeria, Agadez and Dirkou in Niger, Murzuk, Sebha, Tripoli, Zwara or Sabratha in Libya. Another minor route starts in Lagos and through Cotonou in the Republic of Benin reaches Niger and then Libya.

The Nigerian criminal network takes care of all the phases of transportation: it even has a stock of posts reserved in each boat for the trafficked girls¹⁷⁸. At every stage of the journey there is a reference

¹⁷⁷ This is the name I attribute to all the XXIst century migration routes from Africa to Italy. The Road is Black because 1) it is “illegal”, 2) it mainly involves black people 3) it is full of forgotten fatalities in the desert and at sea.

¹⁷⁸ Source: dr. Vincenzo Nicoli, Italian Police.

person belonging to the criminal network.

Girls don't generally pay the cost of the trip during the transportation from Nigeria to Italy as they are supposed to repay back this debt through prostitution.

The conditions of transportation and the subsequent degree of violence used against them depends on how powerful is the criminal organization they have been entrusted to.

2.27 NIGERIA: the kingdom of bribes & counterfeited documents

The domestic trip from the villages in the province of Benin City to the Nigerian porous borders is mostly done by bus.

Exit points from Nigeria are Kano and Sokoto where border police seems to be very prone to accept any kind of bribe to let anyone pass, with regular or counterfeited passports or even without any valid document. Noteworthy is the situation of some girls coming from remote villages and whose birth has never been registered: they do not hold any ID, do not know their birth date and have never attended school.

Empirical and judicial evidence, along with literature, indicate that Nigerian border police is usually and easily bribed by traffickers (IOM 2006).

Three sources of information confirm this corrupt behavior. First of all trafficked girls (key informants) who have been spectators of hush money discussions and in some cases were forced to pay in sexual services the border crossing. Judicial evidence confirms the wide use of bribes at borders. In the trial against Sara Okoya, she herself "admitted that it was necessary for the Immigration officers at border posts to inspect traveling passports of those crossing the border and that they usually stamped such documents at the border. She said it was not done in the case of the 6 girls she took to Cotonou as they had no papers and she bribed her way through Immigration men at the border"¹⁷⁹.

¹⁷⁹ Attorney-General of the Federation v. Sarah Okoya (Judgement 19 November 2004) Suit No. B/15C/2004.

Case law reports that someone “made an identification card (ID) for her instructing that when they get to Libya and questions are asked she will show the ID card”.

Many confirmations of the bribery routine can be found in both personal witnesses of my key informants as well as in contemporary literature¹⁸⁰.

The most recent documented evidence dating back to June 2017, highlights that the Italian embassy identifies, on a monthly basis, 50 Nigerian passports with forged documents such as fake invitation letters from Italy, bank statements or letter of employments¹⁸¹.

2.28 NIGER: a migration-based economy

Niger is a key transit country for Nigerian migrants and represents the gateway to Libya. It is a landlocked African country covered by the desert for 80% of its area and hosting 20 million people (2016 data). A former French colony, it had its independence 57 years ago, in 1960, same year in which Nigeria gets it from the British. It currently ranks 187th out of 188 countries in the Human Development Index¹⁸², making it the penultimate poorest country in the world in terms of GNI¹⁸³, life expectancy and education.

Thanks to smuggling and human trafficking Niger assisted to a sharp increase in its revenues: from 1,7 billion \$ in 2000 it reached 7,5 billion \$ in 2016¹⁸⁴ registering a +441% positive change in the last 15 years.

The 1975 ECO (Economic Community of African States) treaty gave the

High Court of Justice. Edo State of Nigeria. Benin Judicial Division. Benin City.

¹⁸⁰ See Okoedion, Il coraggio della libertà, and Aikpitanyi, 500 Storie Vere Sulla Trattata Delle Ragazze Africane In Italia.

¹⁸¹ The Punch, Nigerian daily newspaper (19 June 2017) 50 Nigerians apply for Italian visa with fake documents monthly. *Punchng.com*. Available at <<http://punchng.com/50-nigerians-apply-for-italian-visa-with-fake-documents-monthly-sfu/>> [accessed 22 June 2017].

¹⁸² UNDP (2016) Human Development Report 2016. Available at <http://hdr.undp.org/sites/default/files/2016_human_development_report.pdf> [accessed 2 March 2017]

¹⁸³ GNI (Gross National Income), differently from GDP (Gross Domestic Product), includes income from overseas.

¹⁸⁴ World Bank (2017) Niger: Country Data. Available at <<http://data.worldbank.org/country/niger>> [accessed 2 March 2017].

possibility to Nigerians and other African nationals to enter Niger without any visa and stay legally up to 3 months.

Language is a facilitatory instrument for Nigerian traffickers, with whom Nigeriens (i.e. people from Niger) share the same ethnic belonging: Hausa. The homonym language, despite the persistence of French as official national *lingua franca*, is spoken all over Northern Nigeria and Southern Niger, allowing for an easier border crossing¹⁸⁵. It is the main autochthonous language in Niger, spoken by over 80% of the whole population even if of non-Hausa origin, for trade reasons.

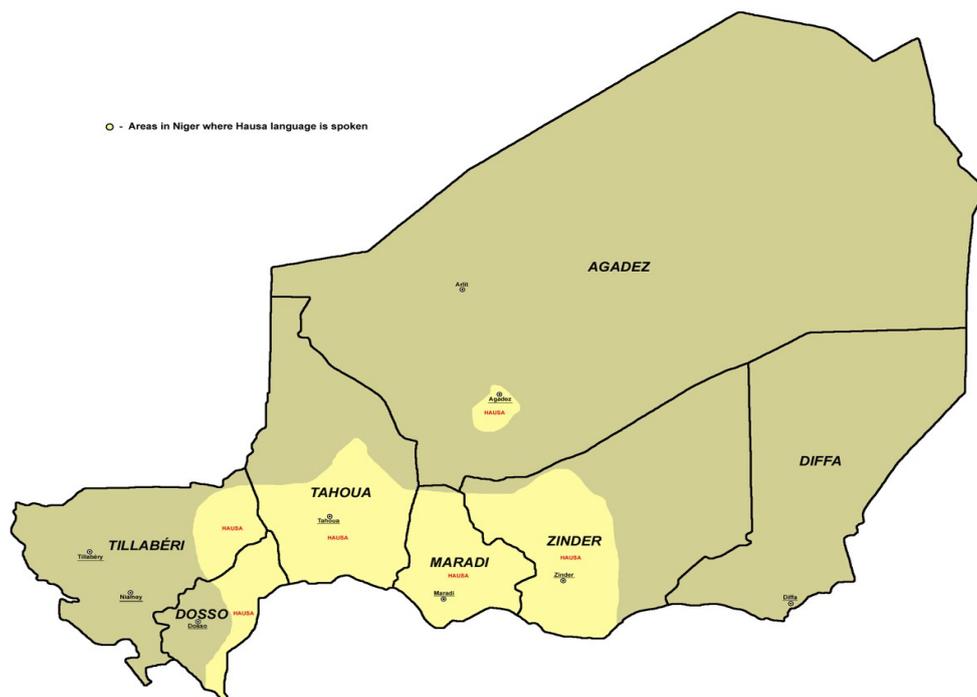


Illustration 20: Hausa speaking area in Niger

¹⁸⁵ Appia, K. et al. (2005) Hausa States. In *Africana: The Encyclopedia of the African and African American Experience*. p.177.

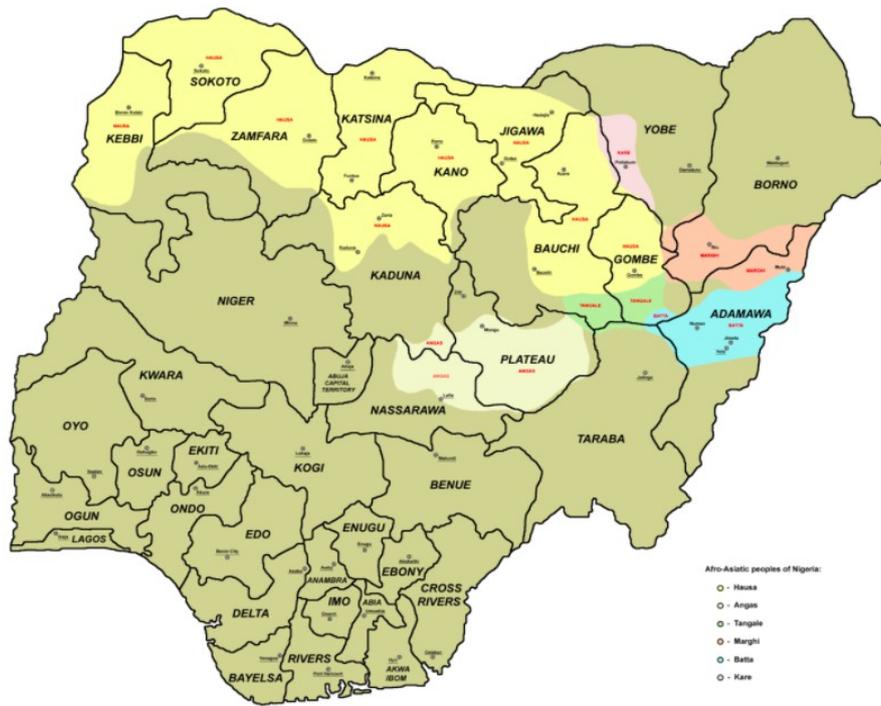


Illustration 21: Hausa speaking area in Nigeria

The legal bribe given by the EU to the Nigerian government in order to comply with the project of externalization of European borders is bringing prosperity to the country albeit there is no evidence of a decrease in the figures of Nigerian migrants reaching the Sahel and then the Sahara desert.

The main stages of the Nigerians' exodus in Niger are Zinder, Agadez and Dirkou.

Many Nigeriens from Agadez have purchased vehicles to transport migrants through the Tènèrè whose translation in Tuareg language coincides with the Arabic term Sahara, meaning desert. Some of these Nigerian *passseurs* were able to repay the cost of a pickup with only few trips from Niger to Libya. The boost in the economy due to the migrants journey to the "promised land" is difficult to be calculated given the ungovernability of informal money exchanges.

Agadez, the chief transit point in the current major route to Europe, is, as much as Tripoli, an urban area full of connection-houses where girls are

detained and deprived of their belongings and where they start being systematically exploited.

2.29 LIBYA: No man's land

There is no more such a thing as Libya. This country presents a very fragmented scenario at political and territorial level. The chaos caused by the killing of Gheddafi is very far from having been solved, contrarily to what some media tend to affirm. Four different entities fight for territorial control, including the only "legitimate" UN-backed government called the Government of National Accord led by Al Sarraj. It is unclear how legitimization on the basis of backing of foreign forces can be considered valid by the Libyan population that, as it is very evident, organized itself creating competing parallel authorities: the General National Congress, the House of Representatives and finally the Libyan National Army, led by general Haftar.

The crossing of Libya, for those who arrive alive from the Niger desert, is the most traumatic experience ever because of all the hazards in the route: violence, arrests for indefinite periods of time and death. Recent witnesses reported about the set up of systematic auctions during which Africans are sold: a real slave market.

Victims of all kind of abuses, including rape, by both institutional and paramilitary patrols¹⁸⁶, Nigerian girls hardly want to recall the Libyan time as it has been defined as the hell on earth. Many of them get pregnant after being raped and are then forced to declare at the Italian border that their husband and father of the born or not yet born baby is a Nigerian man who is part of the criminal network and who will take advantage of the Italian law granting him a permit of stay in the quality of father of a minor.

2.30 Death & hazards along the Sahara

There are many more dead in the Sahara desert than in the Mediterranean.

¹⁸⁶ See Life story of Annabelle, Chapter 1 par. 1.5.

Arbitrary arrests and detention in public or private self-made prisons and ransom demand are a daily Libyan practice. Surviving to Sahara desert crossing is extremely hard and those who die are simply thrown away and left in the middle of nowhere. Death in the desert is caused by dehydration, hunger, previous illnesses or ingestion of contaminated water. The hours spent in this torrid zone force Nigerian girls, along with many other migrants, to drink their own urine.

Last but not least, the traumatic experience of the death of relatives friends or fellows during the trip is a lifelong shock, causing PTSD.

2.31 Connection houses

Reclusion takes place not only in public or private prisons but also in camps located in Libyan cities and villages where migrants wait for a certain period of time ranging from days to months before embarking to Italy. The worst detainment occurs in the so-called connection houses, brothels managed by Nigerians in collaboration with Libyans. Many Nigerian girls end up abducted and segregated, in the hands of sex buyers who pay money to Nigerian exploiters. Some girls are allowed to leave the connection house once they have procured sufficient gain to the exploiter, others manage to escape taking advantage of exploiters' distractions, as it happened to two of my key informants.

2.32 Rape

Rape is used throughout the whole journey as a form of violent psychological submission of the victim. In 99% of cases rape represents the first stage of trafficking. It aims at destroying the person's free will, weakening self-esteem and killing any wish of step-back, provoking a kind of indelible "stain" in the person's conscience. Girls are raped by the traffickers and/or their collaborators including native doctors, italos and pastors. Rape legitimization takes its roots in the girls' minds especially when the raper is a pastor.

It is perpetrated not only by one man but often by a group of men and

may occur in Nigeria (Benin City), Niger (Agadez), Lybia (Sabrata, Tripoli, Zwara) or/and Italy.

Around 50% of the key informants of this research were victims of sexual violence before travelling and all of the key informants who felt like talking about this topic reported being raped during the trip to "the promised land". This events dramatically increase their level of vulnerability.

2.33 Hawala: untraceable value transfer

Hawala is an informal system of value transfer used by networks of traffickers and facilitators. An Islamic medieval system, it is nowadays very much utilized for financial transactions in the migratory routes. Based on trust and honor, its strength consists in loyalty to promises and speed. Real money transfers are very few and promises to pay are the most frequent way to speed up operations. Hawala is untraceable and a very convenient expedient to avoid losses due to banks' exchange rates.

2.34 Mediterranean crossing & SAR

The last sorrowful phase of this degrading journey is the Mediterranean crossing.

"She didn't tell me I would cross an ocean (Mediterranean sea) to Europe"¹⁸⁷

Nigerian girls don't often make a distinction among river, lake, sea and ocean. Their relation with water is very peculiar. They look at it as an entity inhabited by magical creatures such as Mami Wata¹⁸⁸. Being very superstitious, some of them think that arriving safe and sound to the other side of the shore is an ulterior sign of protection by the juju spirit, which convinces them to remain loyal to the black magic oath taken in Nigeria.

¹⁸⁷ See Life story of Grace, Chapter 1 par.1.7

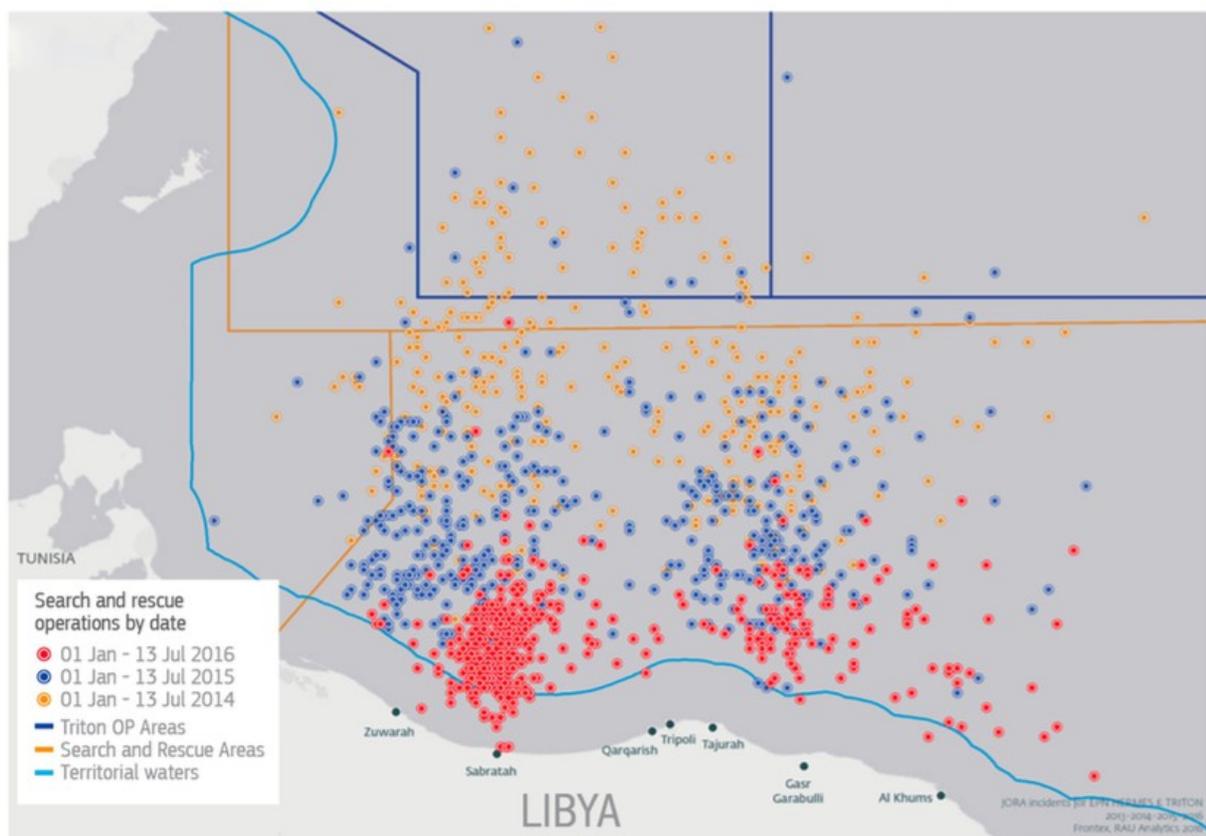
¹⁸⁸ For a description of Mami Wata see Chapter 1 Life story of Favor par.1.5 and Chapter 3, par. 3.22.

Among the hazards they face at sea there are: possible shipwreck, dehydration, lack of food, serious burns caused by gasoline cans, asphyxia (the poorest travel under the deck).

The recent use of rubber boats which replaced more expensive wooden boats has made sea crossing more and more dangerous. The traffickers and smugglers, taking advantage of the nearness of NGOs vessels to the Libyan coast, put in water boats which are less and less equipped.

Comparing Search And Rescue operations in 2014, 2015 and 2016 shows how ships have come closer and closer to Libya over time gradually taking over responsibility for most rescue operations since May 2016.

Originally conducted by public Italian and European bodies and missions (Italian Coast Guard, Italian Navy, Frontex, Operation Triton, Eunav for Sophia), the last SAR operations, besides merchant vessels,



*Illustration 22: SAR 2014-2016*¹⁸⁹

have become a prerogative of NGOs such as MOAS, Sea Watch, Pro-

¹⁸⁹ European Commission. (2 February 2017) Irregular Migration via the Central Mediterranean. Strategic Notes of the European Political Strategy Centre. Issue 22. p.6.

Activa, Jugend Rette, Médecins sans Frontières, SOS Méditerranée, Sea- Eye and Save the Children.

Originally conducted by public Italian and European bodies and missions (Italian Coast Guard, Italian Navy, Frontex, Operation Triton, Eunav for Sophia), the last SAR operations, besides merchant vessels, have become a prerogative of NGOs such as MOAS, Sea Watch, Pro-Activa, Jugend Rette, Médecins sans Frontières, SOS Méditerranée, Sea-Eye and Save the Children.

Not all trips have a happy end. Many Africans died in the Mediterranean because of shipwrecks. The last tragic confirmation of Nigerian female adolescents trafficking has just been recorded: on 5 November 2017, 26 teenage Nigerian girls (14-18 years old) were swallowed up by the Mediterranean.

Arrival: the “Promised Land”

According to IOM, 80% of Nigerian female migrants (both adults and children) disembarked in Sicily in 2016 were trafficked and earmarked for the prostitution racket.¹⁹⁰

2.35 Nigerian women arrivals

Despite the risks of shipwrecking, the Central Mediterranean route remains the main path to the promised land. Disembarkations not only continue without any interruption but they are even increasing sharply on a yearly basis. A quick glance at the data on the illegal arrivals of Nigerian girls in Italy provided by IOM, the UN Agency for Migration, shows that the increase occurred in the last 3 years has not at all been gradual: from 1,454 in 2014 to the peak of 11,099 in 2016.¹⁹¹

¹⁹⁰ IOM (2017) Human Trafficking Through The Central Mediterranean Route: Data, Stories And Information Collected By the International Organization For Migration. Rome: IOM. p.9.

<http://www.italy.iom.int/sites/default/files/news-documents/IOMReport_Trafficking.pdf> [accessed 22 November 2017].

¹⁹¹ Ibidem.

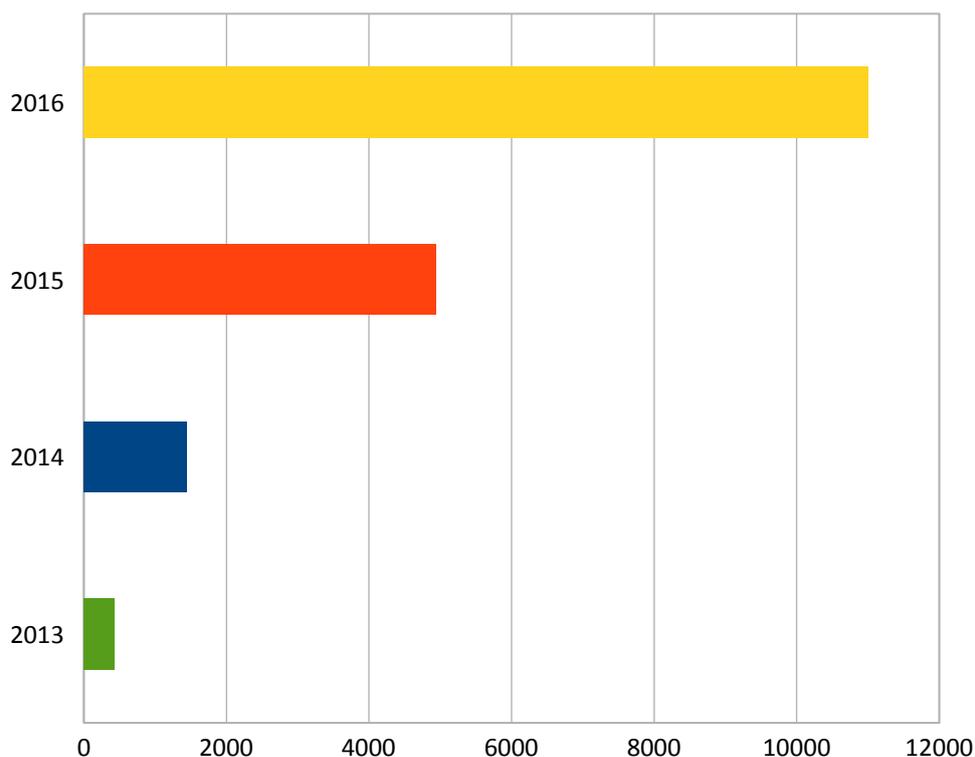


Illustration 23: Nigerian women arrivals

An analysis of immigration disaggregated data in a gender perspective points out that Nigerians account for 44% of all women arrived by sea in the first 4 months of 2017.

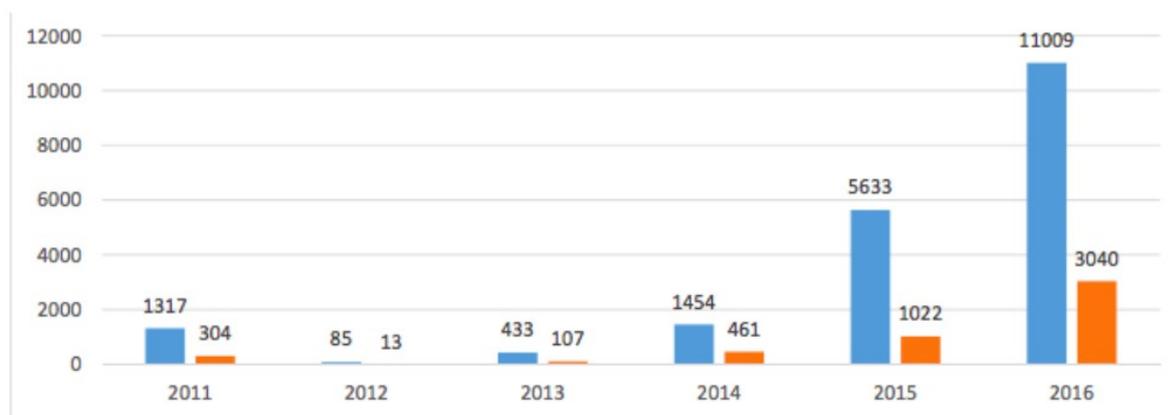
Nigeria has been identified by IOM as the most significant country of origin for non-EU victims of trafficking in the EU¹⁹². Moreover, Italy is the European country with the highest number of victims of human trafficking.

The worrisome data indicating the boost of Nigerian girls arrivals in Italy indicates that the exploitation business is in good health and that, as in any market-driven economic activity, the offer raises in order to match the demand, whose request is for younger and younger girls. The age lowering has been one of the key findings of the last IOM Report, released in 2017, pointing out that the increase in potential sex trafficking victims is hitting a +600% over the last 3 years.

¹⁹² Ivi p.8.

The data provided by the Italian Ministry of Interior gives a clear idea about the sudden increase occurred starting from 2015 onwards. The number of Nigerian women almost doubled and the number of Nigerian UFM tripled.

2.36 Nigerian teenagers arrivals



Key

blue: women

orange: UFM

Illustration 24: Nigerian women and ufm disembarked in Italy¹⁹³

The chart above, elaborated by IOM on data of the Italian Ministry of Interior shows the number of Nigerian women (in blue) and UFM (in orange) disembarked in Italy.

The last report of the Ministry of Labour on UFM¹⁹⁴, released in June 2017, indicates that almost half of all the underage girls (47%) arriving by the sea are Nigerians. There is no other nationality hitting the same percentages. These girls, whose official number is 528, are mainly hosted in Sicily as, according to the Italian law, UFM must remain in the municipality of arrival. Overall, 51,7% of all the female UFM are, as data shows, hosted in Sicily.

It is therefore of paramount importance to focus on this region which

¹⁹³ Illustration by IOM in *Human Trafficking through the Central Mediterranean route*

¹⁹⁴ Ministry of Labour And Social Policies (2017) Monthly Reports on UFM in Italy. Direzione Generale Dell'immigrazione E Delle Politiche Di Integrazione. Divisione II.

became both a transit and a destination area for the sexual exploitation racket. Home to one of the world most infamous and still operational criminal phenomenon in history, mafia, Sicily is characterized by a depressed economy, the presence of a very limited private sector, a high level of unemployment and corruption along with a good number of sympathetic citizens as well as third sector no-profit organizations and smaller associations. It can also count on the presence of the biggest reception center for migrants in Europe (Mineo Camp)¹⁹⁵.

2.37 Port: identification of trafficked girls

The main landing ports for Sub-Saharan migrants, apart from Lampedusa and few Calabrian cities, are all in Sicily: Augusta, Pozzallo and Catania in the East Coast and Trapani, Palermo, and Porto Empedocle (province of Agrigento) in the West Coast of the island.

The disembarkation procedure in Italy is coordinated by the Prefecture. It is a very articulated machine which avails itself of the collaboration of governmental and intergovernmental institutions along with non-governmental organizations. The Italian Ministries of Health and of Interior are respectively present through healthcare, police and National Civil Protection personnel. The staff of Frontex, the European Union border police, mainly stands in the quality of observer. UN agencies such as UNHCR (UN High Commissioner for Refugees) and IOM (International

Organization for Migration) are in charge of, respectively, refugees and trafficked migrants. NGOs such as Caritas and Italian Red Cross have the task of primary assistance, whereas Save the Children manages unaccompanied foreign minors. Other NGOs such as MSF and Emergency are present only in some Sicilian ports.

¹⁹⁵ For more information see in this chapter paragraph C.4.7 Mineo Camp: The Girls' Big Warehouse.

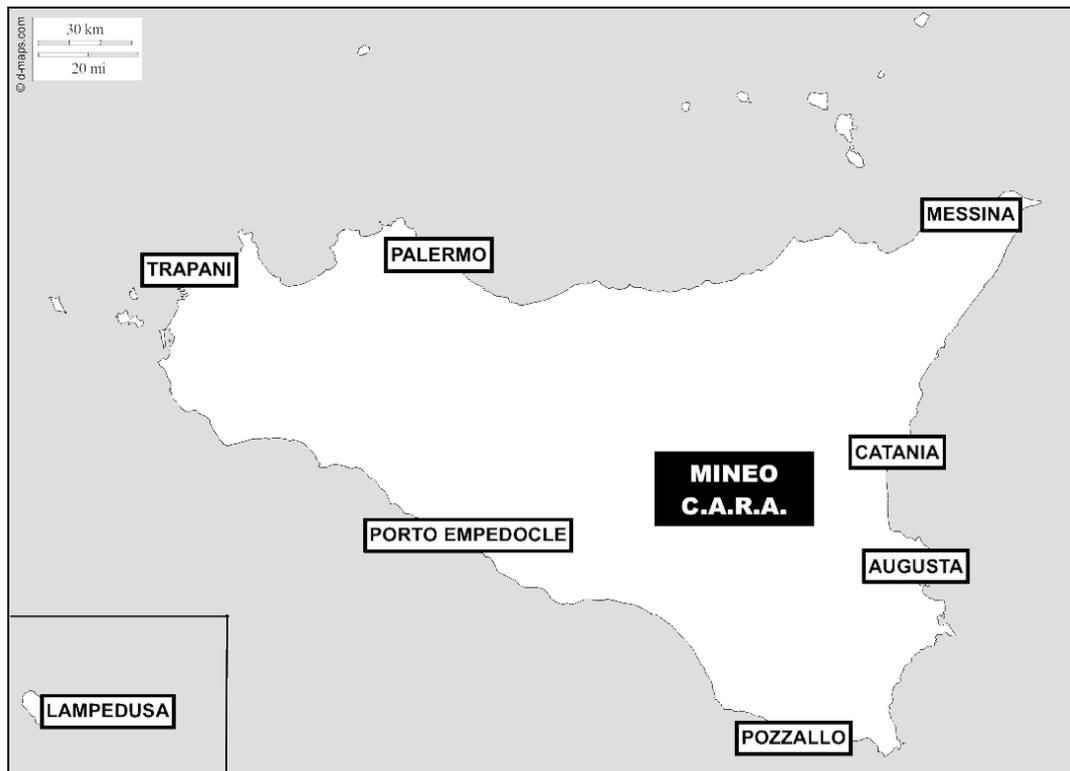


Illustration 25 : Sicilian ports

Medical doctors provide the first quick medical screening onboard before disembarkation starts, in order to identify urgent cases in need of immediate support, such as babies, pregnant women or seriously ill people, who are sent to local hospitals by ambulance. Once emergencies have been met, disembarkation starts, beginning from children and women. Men will disembark at the end of the procedure.

Migrants are promptly provided with food, water and shoes and, after having been grouped according to vulnerable categories, queue for onshore individual medical checks and identification. The biggest challenge for the identification of victims and potential victims of trafficking lies in the precious waiting time running between disembarkation and departure to reception centers. Empirical evidence and number of girls ending up in exploitation rings show how valuable is this timelapse. If identification of potentially exploitable girls does not promptly occur onshore, the result will be what is clearly before our eyes every day: a open-ended trip into violence and humiliation.

The two organizations of interest for this research, officially entrusted

at the port with the task of taking care of, respectively, human trafficking and unaccompanied foreign children are IOM and Save the Children.

IOM is the recently-become UN organization in charge of the identification of victims and potential victims of human trafficking. Its intervention takes place in 2 locations: the ports upon disembarkation, and the migrants' reception centers. Nigerian girls' destiny is entrusted to the promptness and appropriateness of IOM's operators. IOM work at the ports is jeopardized by various factors, starting from the undersized personnel: from 1 to 3 operators (2 women and a man) are present during disembarkation's operations even in the case of 1,000 arrivals.

IOM employees, similarly to other port operators such as Save the Children and UNHCR, wear their official vest: this *ex officio* presentation might create a barrier between the operator and the Nigerian girl who tends to associate any "official representative" with law enforcement authorities from whom it is necessary to hide. Operators talk to migrants and distribute leaflets whose linguistic register and complexity is often not tailored to the needs and level of schooling of the target groups: not infrequently, because of the lack of cultural instruments (if not total illiteracy) to interpret this information, migrants throw these leaflets away already at the port. However, anti-trafficking flyers are precious because of the indication of phone numbers Nigerian girls could want to call in case of need.

While IOM's mission mainly tackles trafficked women, Save the Children's mission is related to unaccompanied foreign minors. While arrivals of Nigerian girls keep going up, age keeps going down in an inversely proportional relation. Underage Nigerians, whose age reaches 13 years, hide their real age in order to have less restrictions, according to the instructions received by their traffickers¹⁹⁶. They also give fake names and

¹⁹⁶ See Chapter 1, Lifestory of Blessing par. 1.4.

See also IOM (2017) *La Tratta Di Esseri Umani Attraverso La Rotta Del Mediterraneo Centrale*. p.21.

<http://www.italy.iom.int/sites/default/files/news-documents/RAPPORTO_OIM_Vittime_di_tratta_0.pdf>

falsely declare to be married to or relatives of other migrants¹⁹⁷, who accompanied them in the boat trip and who are part of the human trafficking racket, with the objective of being sent to the same reception centers.

A crucial phase preceding the transfer to reception centers is individual identification through biometric descriptors. It consists in the registration of personal data, photo taking and fingerprinting. Name, age, nationality and family status are self-certified through verbal statements unless evidence from an ID is shown. The identification phase represents a key issue in the life of a migrant as the registration in a specific EU port will condition the possibility to ask for asylum in other European countries. Migrants' data shared in EURODAC, the common European database, allow for the application of the Dublin regulation which mandatorily entrusts the management of asylum requests to the first European country of disembarkation.

2.38 The port: false relationships

Girls often arrive at the Italian ports in groups or, if apparently alone, are controlled by either a Nigerian older girl or a boy who claims to be a relative. When girls are pregnant as a consequence of rape or exploitation in Libyan connection houses, they are frequently imposed to tell the Italian authorities that their trafficker or controller is their husband. This is done by traffickers in order

- 1) not to lose control of the girls by diminishing the possibility of being sent to reception centers located in different cities
- 2) immediately get the permit of stay as a parent of a minor.

Other false relationships such as mother-daughter or sister or cousin are made up with the same controlling purpose. Only a separate interrogation with specific questions can reveal the truth, though tiredness of the journey is a good way to baffle intrusive questions.

¹⁹⁷ See Chapter 1, Life story of Ifunanya par. 1.2.

Following the indications received in Nigeria by their traffickers, girls are given or invent a new personal identity (name and age) with the twofold objective of not being recognizable and of eluding the Italian laws on minors, which includes the allocation to excessively monitored shelters for under-18. Even when evidently minors, what stands legally valid is their declaration. Only in few cases, thanks to a written statement outmatching their own declaration and delivered by the doctors who visit them immediately after the disembarkation in Sicily, they are legally considered underage.

2.39 Bus transfer: 1st escape

Migrants who complete the identification process are sorted according to the different destinations in reception centers located all over Italy and get on the buses waiting for them on the dock. Most underage migrants remain in the disembarkation region.

Escapes at rest stops have not been infrequent: some buses with 50 passengers onboard arrived at destination with a big number of missing migrants¹⁹⁸.

2.40 The day after. Reception centers: 2nd escape

Escape of migrants from 1st and 2nd reception centers, called "camps" by the Nigerian migrants, is a very common experience. In the case of unaccompanied migrant minors it is a dramatic and unsolved situation: according to Oxfam, in 2016 28 underage migrants fled every day from reception centers all over Italy, with Sicily being the region of major escapes¹⁹⁹. Far from only being a problem due to local inefficiencies, the high concentration of migrants in the main region of disembarkation

¹⁹⁸ See Fontana, E. (24 January 2015) Allarme "fantasmi": 50mila migranti sbarcati e poi spariti nel nulla.

Ilgiornale.it. Available at < <http://www.ilgiornale.it/news/politica/allarme-fantasmi-50mila-migranti-sbarcati-e-poi-spariti-nel-1085588.html> > [accessed 20 November 2017]

and

055 Firenze (30 June 2015) Sosta in autogrill, migranti destinati a centro di accoglienza scappano. *055Firenze.it*

Available at

<<http://www.055firenze.it/art/124830/Sosta-autogrill-migranti-destinati-centro-accoglienza-scappano>>

[accessed 20 November 2017].

¹⁹⁹ See Oxfam Italia (8 September 2016) Media Briefing. Grandi speranze alla deriva. Available at

<https://www.oxfamitalia.org/wp-content/uploads/2016/09/MSNA-Sicilia_mediabrief_8-set-2016_FINAL_DEF.pdf> [accessed 20 November 2017].

(Sicily) and in huge centers increases both speculation and system failures (Oxfam 2016). Worse of all, it facilitates the job of human traffickers who simply need to reside in the region to reach the newly arrived “human merchandise”.

In Sicilian camps most workers do not speak neither English nor other foreign languages. Any kind of problem with the guests is therefore entrusted to cultural mediators who are called on a as-needed basis. Nigerian girls, similarly to other migrants, escape from the camps within 48 hours from arrival.

The technique used to contact the traffickers is very simple: once Nigerians reach the reception center they are allowed to call home. On this occasion they communicate their location to their families or traffickers in Nigeria and in a short time they are either picked up by car by stakeholders of the criminal network or told to reach the Central Station where some other facilitator/passeur will organize their trip to the final destination.

2.41 Mineo Camp: the girls' big warehouse

The CARA, referred to by the migrants as the “Mineo Camp”, deserves special attention. Originally built as a military residence for the American army working at Sigonella (the most important NATO base at world level), it was transformed in 2011 by the Italian former prime minister Berlusconi into the largest, and disgracefully the most investigated, shelter for asylum seekers in Europe.

Over 4,000 migrants populate this Camp, making it as big as the small Sicilian village of Mineo, located in its surroundings. Created as a complement to war activities, its destiny seems to ironically keep its role. Once inhabited by people who are war-related (soldiers), it hosts today other people who escape from wars around the globe (asylum seekers).

A well of money, the Mineo Camp is at the center of the Mafia Capitale investigations; it guarantees monthly revenues accounting to many

millions and clientelism seems to be the only rule for recruitment.

Because of its size, the Camp is totally unmanageable and has become a huge outlaw area where the State has no ruling power. A state in the State has been set up by the Nigerian community hosted there. The Nigerian mafia assumes the role of ruler and controls the territory by means of violence and blackmails.

A large number of trafficked Nigerian girls have lived and still live in this Camp, subjected to the well-structured Nigerian resident mafia. Some girls exploited in the streets of Palermo gave information about the role of Mineo Camp in the exploitation racket²⁰⁰.

The supposed deterrent use of electronic badge to control entry into and exit from the Camp is easily bypassed. Girls are instructed by their exploiters not to mark in and out but to jump fences.

Some girls who officially reside in Mineo, live and are exploited instead in Palermo or Catania and go back to the Camp only to keep track of their asylum request. Some others are picked up every night by trafficking facilitators who drive them to their "workplaces". Others are asked to hand over their badges and leave the Camp for good. The Mineo Camp administration will not even realize that they are absent since the badge is still being used by somebody else. A surprising occurrence regards the frequent exchange of person, made possible by the badge commercialization or swap.

Ifunanya, one of my closest key informants whose complete story can be found in Chapter 1, writes:

"After 2 weeks in Mineo Camp we were asked to go and meet the lady but we will leave the camp through the fence. We ask why but were told that we shouldn't mark out, that it wasn't a good idea, and we also submitted our badge to them and jumped the fence but they lied to us because we didn't come back to Mineo Camp".

²⁰⁰ See Life story of Ifunanya Chapter 1 par.1.2.

Notwithstanding the numerous closure requests of Mineo Camp by many associations and the almost daily evidence of exploitation and violence, the biggest reception center in Europe remains open. Symbol of the most profitable contemporary national business, the Camp represents a negative icon of the Italian trinomial comprising migration, mafia and institutional corruption. In an interesting wiretapping, a collaborator of the mayor of Rome involved in the migrants' business, Salvatore Buzzi, a former detainee condemned to 30 years for malice murder but amnestied by the President of the Republic after only 6 years, affirms:

"Do you have an idea about how much you earn on immigrants? Drug trafficking is less profitable".

Millionaire tenders on the Mineo Camp have been in the hands of corrupted Italian politicians including undersecretaries and mayors²⁰¹.

A wide range of social enterprises, NGOs, associations and community services entities sustained by European funds and created *ad hoc* "for the benefit of migrants" sprouted up in the last years across Italy creating a number of corporate spin-offs increasing the already huge oligarchic wealth and job opportunities under patronage systems.

2.42 UFM in Palermo: Casa "Il Giardino"²⁰²

A reception center for underage girls in Palermo, Il Giardino, similarly to other centers, has seen the disappearance of a relevant number of teenager girls of Nigerian origin. A former foster home for orphans and children aged 6-13 who had been taken away from their families on serious grounds, it has been readapted on paper (walls and furniture are still the ones of a foster home for small children) to be transformed into a reception Center: the new migrants' business mode is on. Notwithstanding the standards for reception centers set by the Sicilian Region, the complete lack of control of these hubs by the authorities is part of the

²⁰¹ Galieni, S. (4 gennaio 2016) Commissione di inchiesta su Cie, Cara e accoglienza. A che punto siamo?. Associazione Diritti e Frontiere. Available at <<https://www.a-dif.org/2016/01/04/commissione-di-inchiesta-su-cie-cara-e-accoglienza-a-che-punto-siamo/>> [accessed 25 November 2017].

²⁰² The real name of the reception center has been replaced by an invented one, for privacy and security reasons.

(baptized by our media - and not by the individuals concerned - the "Arab Spring") strongly advocated by the West, generous exporter of weapons and democracy and predator of African resources,

2) *in secundis* from the fragility of a system managed and labeled by Europe as an "emergency", a term which sounds semantically ambiguous as it is a synonym of "unforeseen circumstance". An unforeseen circumstance which has become structural since years and which, according to scholars, will last for several decades.

A constant presence at the disembarkation of migrants at the port of Palermo as a linguistic-cultural mediator, volunteer and scholar of the phenomenon, has enabled me to get to know the migration route of a large number of foreigners from different origin and to follow all the phases of the hard path that unfolds at the entrance of the "promised land".

The chief locations of denied rights are:

- disembarkation points
- first reception centers.

The first phase, disembarkation, begins with the landing of the alive and dead migrants in Sicily, medical-health checks (often including immediate hospitalization in the burn or psychiatric units), arrest of "scafisti"²⁰⁵ (not rarely minors), identification procedures, age assessment, subdivision into macrogroups (families, UFM, men and women) and finally the allocation in coaches directed to First Reception Centers; this last step is subjected to errors often resulting in disgregation of family nuclei in different Italian cities, even very distant from one another. Bus trips also become a mass-escape opportunity during stop-overs at the parking areas.

During the entire landing stage, migrants do not receive or receive very poor, inadequate and untailored-to-the-needs information about their

²⁰⁵ Migrants who are often forced to act as captains of the boats, often mistakenly arrested in Italy for the crime of smuggling or trafficking.

rights or the places they are destined to reach.

The first rings of the long chain of denied rights are the basis on which the properly defined "organized crime" will victimize the youngest, counting on impunity, main pull factor attracting Nigerian criminals to Italy. The main critical issue regards the partial immediate identification of minors, potential victims and vulnerable people, challenging task entrusted to UNHCR, IOM and Save the Children.

The second phase, taking place in first reception centers, focuses on meeting basic needs (food, housing, clothing), and is supposed to last for up to 90 days and comply with the Sicilian Reception Standards established by the President of the Region²⁰⁶. These standards are largely disregarded by most Centers driven by the maximum profit logic and characterized by poor competence²⁰⁷ of the personnel to the detriment of migrants' rights.

It is worth mentioning that the reception of UFM in Italy is much more lucrative than the reception of adults. The official average payment made to Centers hits 80 euro per person per day, whereas, in the case of adults this figure halves. This policy maximizes the income of Centers for minors which deal with weaker individuals (minors are less likely to organize protests or complain and are easily manipulable) and sometimes apparently tend to delay as much as possible the transfer to second reception.

One of the main concerns regarding the management of UFM in Italy is due to the blatant inconsistency between the regulatory framework and the practice, with particular reference to:

²⁰⁶ Gazzetta Ufficiale Della Regione Siciliana (29 August 2014) Standard per l'accoglienza in Sicilia dei minori stranieri non accompagnati. Anno 68°- Numero 36. Sicilian Region Presidential Decree. DPRS n.600. 13/08/2014. Available at <<http://www.gurs.regione.sicilia.it/Gazzette/g14-36/g14-36.pdf>>. [accessed 25 November 2017].

²⁰⁷ The Italian management of the migration crisis as an emergency and not as a structural phenomenon has contributed to a permanent justification on the lack of proper reception centers and on the hiring of untrained personnel based on the need to improvise solutions to "unforeseen" problems. Some reception centers keep hiring personnel with poor foreign languages competences, whose main merit is to be a relative or voter of corrupted politicians.

1. the almost total absence of Centers truly specialized in childhood issues,
2. the inadequacy of the locations and physical structures,
3. the poor quality of most services offered, including food chosen according to “the cheaper-the-better” philosophy
4. the absolute lack of security of the structures themselves (over-accessibility of some of them, located on the ground floor in the most central and urbanized areas, increases the guests' vulnerability)
5. the discontinuous and occasional presence of psychologists,
6. the very sporadic hire of linguistic mediators,
7. the lack of preparation or limited training of the staff,
8. the ineffective assignment of minors to legal guardians
9. the illegal prolonged stay in first reception centers where migrants (not only UFM but all of them) are supposed to spend no more than 2/3 months. The transfer to second reception centers where activities such as language classes and job training are preset is indefinitely delayed with a loss for minors in terms of life *vacuum* and for the State in terms of financial burden, which is heavier in first than in second reception centers.

Within the first 48 hours from arrival at reception Centers, 50% of UFM disappear; the subsequent return and re-admission regards only a very small number of them²⁰⁸. The percentage of Nigerian minors aged 13-17 fleeing from Centers reached over 90% as many First Reception Centers confirm.

The first cause of escape is linked to the accomplishment of a migratory project where Italy is considered as a mere transit country and Germany or Sweden as definitive targets. The second cause is ascribable to

²⁰⁸ In January 2015 there were 6.135 missing UFM in Italy. See Ministry of Labour and Social Policies (2015) Report di Monitoraggio. p.3. <<http://www.lavoro.gov.it/notizie/Documents/Repor-di-monitoraggio-31-dicembre-2015.pdf>> [accessed 5 March 2016].

expectations failure due to inadequacy of reception centers, daily improvisation by the centers' staff, pessimistic (or realistic?) views on the slowness of the Italian bureaucracy related to family reunions and residence permits (which, due to the recognized principle of non-refoulement of minors, should be immediately granted). Finally, the third and final cause of escape is recruitment in criminal networks, ready to speculate on the extreme vulnerability of minors, immediately subjected to various forms of exploitation (domestic, work, sexual, begging). In the peculiar case of Nigerian minors, escape from the centers concerns almost all girls: this is the result of casual infiltrations (physical, telephone, or social networking) in the same centers by the Nigerian criminal delinquency, which, with false promises, is able to deceive and then reduce them into slavery on the sidewalks of our cities.

Yet, Migration, Girlhood and Exploitation seem an inescapable and unavoidable triad of our time.

Will legality manage to catch up with crime? Will it manage to be at least as much "organized" as crime? It will depend not only on new legislation proposals but above all on the operational implementation²⁰⁹ of the existing legal framework.

At the end of October 2015, the two main issues related to UFM in Italy were highlighted in a Memorandum of Understanding among the Prefect of Rome, the Councilor for Social Policies and other stakeholders:

1) Missing minors (fled from reception centers), accounting for 56% of the total

2) Exploitation in its diverse typologies.

2.44 UFM: legal guardianship

Among the denied rights migrants face within the Camps we find the absence of a legal guardianship for minors. Though formally assigned to a

²⁰⁹ Italy is a champion in producing laws but not in implementing them. Despite the quantity of laws, outnumbering many European fellow countries, it still remains one of the most corrupt nations in the Western world.

legal guardian, UFM keep living and feeling lonely and end up being at the mercy of any relentless adult.

De facto the legal guardian of minors

- is appointed after a very long waiting time, leaving the child/teenager deprived of his rights, in particular of the possibility of being defended and represented
- has rarely had a specific training
- is usually the camps manager²¹⁰, which creates an embarrassing conflict of interest
- receives dozens or hundreds of appointments, making it unrealistic to follow a large number of children. For instance, the former councilor for social policies in the city of Palermo, Agnese Ciulla, was assigned legal guardianship of up to 900 individuals. As she stated: "I saw them only once"²¹¹

Nigerian underage girls, not having any reference person, end up trusting their traffickers, the only ones closely keeping track of their movements and situation.

Challenges are multiple and will be efficaciously faced only when the Italian Government stops dealing with this migrant crisis as an emergency.

2.44.1 Sicily: pioneer in UFM legal guardianship

Sicily hosts 8.000 of the 18.500 UFM resident in Italy²¹². The critical situation of these children and adolescents pushed Sicily to assume a pioneer role in the institution of citizens' volunteer legal guardianship. The

²¹⁰ The managers of camps in Palermo, for example, have been automatically assigned legal guardianship of all resident underage migrant girls.

²¹¹ The former Councilor for Social Policies in Palermo was formally a guardian of up to 900 people. Repubblica (7 March 2017) *8 marzo: Agnese Ciulla, la 'Grande Madre' di 480 profughi minori*. Repubblica.it/Adnkronos

Available at < <http://palermo.repubblica.it/dettaglio-news/-/4688567>> [accessed 22 November 2017].

²¹²Ministry of Labour And Social Policies (2017) Monthly Reports on UFM in Italy.

initial informal experience of Siracusa, started up in 2013 by lawyer Carla Trommino, founder of the association AccoglieRete and recently elected Municipal Children's Defender, has been fundamental in introducing the idea of active citizenship in the area of UFM legal guardianship: an agreement with the local Juvenile Court has allowed her to involve a big number of local supportive citizens, willing to assist UFM.

The insufficient and inadequate institutional national measures in place triggered a proposal by the Palermo Municipal Defender of Children's Rights aimed at training a first group of volunteers in June 2016. This experiment contributed to the the formulation of Italian national law 47/2017 on voluntary guardianship, finally approved in April and come into force in May 2017. The strength of the new guardians, as affirmed by the Defender, consists first of all in the relational aspect that has been identified as the key solution to give protection, support and perspectives to UFM.

Thanks to these pioneer experiences, the hope of preventing exploitation of a number of Nigerian underage girls is becoming more and more concrete, let alone the fact that many of them do not declare their real age upon disembarkation.

2.45 UFM: age determination

Age determination is still a controversial issue. Up to the end of 2015 it was blindly entrusted to the results of wrist radiography. Nevertheless, biological and chronological age differ from person to person and the results obtained were not certain and only able to assert that they could be compatible or not with minor's age with an error margin of 5 years more or 5 years less. Very imprecise. Moreover, the consent of the person to undergo such medical examination was hardly requested.

Taking into consideration the best interest of the minor as per Convention on the Rights of the Child, on 6/1/2016 Italy introduced a new norm on age assessment of UFM victims of human trafficking through decree n.234

of the President of the Council of Ministries. According to the new regulations, enforcing authorities can ask the judge for the authorization to start the procedure of age ascertainment. A multidisciplinary team including not only medical doctors but also psychologists and experts in different fields will interview the minor and attribute an estimated chronological age, specifying the error margin. In case of doubt, the minor age is presumed. Furthermore, before the final report is issued, the person must anyhow be considered as a minor.

2.46 Reception centers or prostitution warehouses

Recruitment hubs coincide with the reception centers where the young migrants are hosted after disembarkation. A clear violation of human rights results from the joint responsibility of these private institutions neglecting public domain information (such as the time and modalities traffickers use to collect girls) and of public institutions overlooking the necessity of a monitoring mechanism especially when minors are involved.

The most common means for girls to reach their exploiters are the telephone (phone calls) or the computer (social networks such as facebook). A simple phone call to an Italian or Nigerian phone number marks the entrustment to the Nigerian criminal network in Italy. Main recurrent situations can be grouped as follows:

1. Either in Nigeria or in Libya girls are given an Italian phone number which they write on their own skin or on a piece of paper and try to call at the first convenient opportunity upon arrival in Italy

2. Upon arrival at the shelters all migrants have the right to call their families (in Nigeria in this case) from the reception center's phone. Shelters rarely register the numbers called; moreover, in order to reduce expenses to the minimum, they purchase international phone cards which make it impossible to identify and record the numbers previously called. On this occasion, the girls' family, or some other Nigerian contact they were told to call, gets their address and alerts the Nigerian contact person

in Italy (the madam or other people working for her) who goes and collects them by car or by bus

3. on the occasion of a second call to Nigeria their family/the Nigerian contact gives them the instruction on where to go (generally the train stations) and at what time of the day. Girls are more and more often recruited by some other Nigerian girl who is herself a guest of the Centers.

"From now on nobody will be able to say "I did not know". The facts are before the eyes of everyone, though many try to hide them or provide an interpretation which is functional to their political projects"²¹³.

²¹³ Vassallo Paleologo, F. (2017). *Orrori e media. Quale giustizia per i migranti ?*. Associazione Diritti E Frontiere. < <https://www.a-dif.org/2017/11/11/orrori-e-media-quale-justizia-per-i-migranti/>> [Accessed 22 November 2017].

CHAPTER 3

PROSTITUTED: BEST BEFORE ADULTHOOD

"There are people who want to convince us that prostitution is a job as another, a kind of happy island the brothel, where you earn so much money at night and you do a good day's life. What those experts did not have in mind is that we, like Rachel, have lived in those butchers that they stubbornly defend themselves as plain workplaces. We've been both meat for sale, we have been tried and tested by a thousand eyes and a thousand hands to see if we were really tender meat, and we were, little more than little girls. What we had in common? The desire for self-destruction, because it is this that unites women who no longer respect themselves, those who no longer matter in their own body, small glasses with glasses. This is what we are abusing, with flesh and nerves twisting on each other, reviving every day a life behind our eyes that we strive to distance and see as the life of someone else, far from us, however suffering as if they were cutting off an arm." ²¹⁴

Introduction

My key informants, mostly met when going out with the Mobile Outreach Unit in the last 3 years, have always asked for help in finding a "real job" because, as they say, "prostitution is not work"²¹⁵.

Agustin asserts that "even when migrants feel deceived, they usually complain of working conditions, not the fact that the work is sexual, and they often prefer to remain in the industry"²¹⁶. Kempadoo affirms that "the dominant image of victimized sex workers" linked to "excessive force and violence (...) is of a young Brown Asian or Black woman, an image refracted through mainstream television program and newspaper reports,

²¹⁴ Moran, R. (2017) Stupro a pagamento. La verità sulla prostituzione. Rome: Round Robin.

²¹⁵ See par.1.11, statements by Mimi, Nigerian prostituted girl.

²¹⁶ Agustin, Sex at the margins, p. 34.

as well as in some feminist writings and in international debates on trafficking"²¹⁷. Unfortunately, excessive violence is a real and not media-created daily experience for the Nigerian girls prostituted in Palermo and Copenhagen, who, for their part, stated the following²¹⁸:

"I regretted coming to Italy". Ifunanya

" I didn't know he had sold me to the lady for prostitution". Abigail

"My first day when I start working in the prostitution it was terrible. When I went home I cried, cried, cried but I don't have any option". Blessing

"I tried to tell Queen that I didn't want to be a prostitute but she was shouting at me, threatening me and giving me no food until I gave up and went back to prostitution. I was often a victim of her violent physical aggressions". Mary

"You need to stand, this is the job!" "If they told me this is the job I wouldn't come". I cried for the full day. I never work and I came back home. The lady called and said "You didn't work". (...) "Help me, I am dying inside". Jessica

"Even now my mom doesn't know that I am doing rubbish (*prostitution*). I was crying". Olabisi

" I arrived 3 years ago in Italy and they want me to do rubbish. (...) They beat me and put me on the road. They beat me a lot". Cynthia

"I am not happy. This is not work. (...) And my body is a temple of God. I don't want to stay here. Can I come with you? Please sister, I want to come with you". Mimi

"I don't like it (*prostitution*) and God knows it. What should I do? I don't like, really. I don't like myself. How come I'm here to do this?" Sonia

"I can't cry and my heart burns". Sonia

"I hate myself. There is no future for me!". Ruth

Empirical evidence is more eloquent than any comment.

²¹⁷ Kempadoo, K. (2001) Women of Color and the Global Sex Trade: Transnational Feminist Perspectives. *Meridians: Feminism, Race, Transnationalism*, 1 (2). p. 32.

²¹⁸ See Chapter 1. Nigerian Girls Autobiographies.

Some might say that prostitution and trafficking are different phenomena to be distinguished on the basis of freedom of choice. Farley labels as illogical the attempt by some to make this distinction claiming that “prostitution is more like being chronically sexually harassed, endangered, and raped, than working in a fast food restaurant”²¹⁹. Her observations match with the girls' narrations. She observes that “prostitution is an institution akin to slavery, one so intrinsically discriminatory and abusive that it cannot be fixed-only abolished”²²⁰.

Ekman claims that the myth of the happy whore, fed by a systematic prostitution harm denial, might result from porn industry and criminal interests, decontextualization and generalization of the experience of a very small minority of women, whose real inner feelings often remain well concealed. I would add that derealization can sometimes become not only a single person's but a collective psychological symptom driven by a distance-creation mental mechanism which allows for the formulation of the most at the same time unrealistic and inhuman dogmas.

Ekman suggests “the dissolution of boundaries” which means “recognizing humanity in every person (...) I observe that this other person is simply me in a different situation, under other life circumstances (...) with this insight comes the recognition of the cruel system that has reduced a whore to a type”²²¹.

A. LEGAL FRAMEWORK ON PROSTITUTION

3.1 International LF

The Palermo Protocol uses the word prostitution only once and only as one of the possible methods to exploit trafficked people, and in particular women and children (both male and female). The only current international legal instrument directly addressing prostitution as such is the UN Convention for the Suppression of the Traffic in Persons and of the

²¹⁹ Farley (2017) *Very inconvenient truths: sex buyers, sexual coercion, and prostitution-harm-denial*. Logos Journal. Spring 2017: Vol 16. Nos. 1-2.

²²⁰ Farley, M. Human Trafficking and Prostitution. Psychologists for Social Responsibility. Available at <<http://www.psysr.org/issues/trafficking/farley.pdf>> [accessed June 2017].

²²¹ Ekman, K. (2013). *Being And Being Bought*. North Melbourne: Spinifex Press. p.41.

Exploitation of the Prostitution of Others (1949/1951), never ratified by Nigeria but ratified by Italy in 1980:

“prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community” (preamble).

Art 16 of the same Convention tackles the issue of prostitution prevention and rehabilitation of victims:

“The Parties to the present Convention agree to take or to encourage, through their public and private educational, health, social, economic and other related services, measures for the prevention of prostitution and for the rehabilitation and social adjustment of the victims of prostitution and of the offences referred to in the present Convention.”

Since then, no other official international treaty on prostitution has been conceived.

Given the irreconcilable viewpoints across the globe on the topic, the only international consensus that was reached regarded human trafficking. Prostitution *per se* remains a minefield full of as much overheated debates as ideological rhetoric, often detached from reality and constructed at the highest sociopolitical latitudes of institutional spaces. An international instrument of soft law would be needed and could be an initial step in a path of awareness-raising particularly addressing prostitution destination countries.

3.2 EU LF: present divergence, future convergence

Since its foundations, the greatest challenge for the EU has been convergence; started in economic terms, the Union aspires to become a unified world political power on the solid basis of human rights. The efforts to unify migratory policies has become the main contemporary challenge facing Europe; despite the intermittent progressions and regressions phases, there is hope that the dream of unifying at least human rights-

related policies will slowly come true.

An attempt to unify prostitution policies has been done in 2013 by Mary Honeyball, European MP. She urged the Union to consider the “need to make it a criminal offence across all EU countries to employ the sexual services of, and to use, somebody who has been trafficked”. She mentions a study by the Scelles Foundation stating that 90% of prostitution is in the hands of a procurer, highlights that “prostitution is a major factor in organized crime”, that “financial desperation can lead women into prostitution, and reports the self-admitted failures of the regulationist EU countries (Germany and the Netherlands). She praises the effectiveness of the Nordic model and concludes by defining prostitution as “a form of violence against women and an infringement of human dignity and gender equality”²²².

Following Honeyball's motion, on 26 February 2014 the European Parliament adopts a resolution on sexual exploitation and prostitution and its impact on gender equality stressing “that the normalisation of prostitution has an impact on violence against women; points in particular to data that show that men buying sex were more likely to commit sexually coercive acts against women and other acts of violence against women, and often presented misogynist attitudes”.

Nonetheless, the present approaches to this kind of violence adopted by EU member states are very divergent. Prostitution laws greatly vary across the EU.

Let alone the fact that human trafficking is forbidden everywhere and pimping is illegal anywhere with the exception of Germany, Greece and the Netherlands, four are the main prostitution policies at European level. The first 2 represent the 2 extremes and to date embrace a limited number of supporters, though the first one is successfully expanding its

²²² EU Parliament. (2013) Motion For A European Parliament Resolution on sexual exploitation and prostitution and its impact on gender equality (2013/2103(INI))- Committee on Women's Rights and Gender Equality. Rapporteur: Mary Honeyball.

best practice in a relatively short time: 6 countries²²³ in 17 years.

1) Neo-abolitionism or Nordic Model

Criminalization of the buyer only, not of all actors as in the case of Russian or US prohibitionism

Forerunner: Sweden, 1999

Prostitution is illegal only for buyers, not for sellers. The buyer is either sanctioned or detained. The maximum punishments are 1 year detention (Sweden and Ireland) or € 3,500 pecuniary sanction (France). Sweden, fatherland of social justice, fines buyers proportionally to their income and, in case of recidivism, punishes them with detention.

2) Neo-regulationism or German model

Legalization.

Forerunner: Germany, whose system dates back to the Middle Ages

Leader of legalized and regulated prostitution, Germany, known as Europe's biggest brothel offering "all-you-can-fuck" formulas, the pimp State and the fatherland of the new drug, is striving to combat increasing human trafficking. Of the over half a million prostitutes according to German police estimate, only 44 chose to register with the national insurance scheme by 2013²²⁴.

The German model or neo-regulationism, differently from Greek regulationism, claims to be oriented towards the "rights of sex workers", especially after the July 2017 law. The official national report on the impact of the Prostitution Act, enacted since 2001, affirms that "individuals first and foremost decide for themselves what dignity means for them"²²⁵. A very arguable statement considering that in some mafia-like subcultures dignity means killing others to gain self-worth, that in

²²³ EU: Sweden, France, Ireland and Northern Ireland (as part of the UK). Extra-EU: Iceland and Norway.

²²⁴ A giant Teutonic brothel (16 November 2013) *The Economist*. *Economist.com*

<<https://www.economist.com/news/europe/21589922-has-liberalisation-oldest-profession-gone-too-far-giant-teutonic-brothel>> [accessed 22 November 2017].

²²⁵ Federal Ministry for Family Affairs, Women and Youth (July 2007) Report by the German Federal Government on the Impact of the Act Regulating the Legal Situation of Prostitutes (Prostitution Act). p.11.

recent past Germany has not been a model of dignity defense and that just recently has refused to pay its war reparations to collapsing Greece shielding itself under opportunistic apologies. The same report mentions also “the right to the free development of the personality” (of the rich) and “the right to freedom of one’s private life”²²⁶ (again of the rich).

3) Abolitionism: Laissez-faire

It is the most widespread system adopted by EU countries, including Italy, Spain and UK.

Prostitution is legal and unregulated. Exploitation is punished *de jure* but *de facto* it is often tolerated as a “necessary evil”. Not enough investigation is devoted to such a macroscopic phenomenon.

4) Prohibitionism

Croatia: prostitution is illegal only for sellers, not for buyers. The seller is sanctioned with a fine ranging from € 110 (Croatia) to 330 (Romania).

3.3 National LF: Nigeria

Before describing the current Nigerian national legal framework on prostitution we will try to take a glance at colonial prostitution policies.

A study conducted by a Nigerian researcher on the international history of sexuality found out that prostitution is a social legacy of British colonialism²²⁷. The efforts of the British would have been to promote a legal framework providing regulation of prostitution as part of the big African “civilization project”. The research underlines how the development of prostitution was ascribable to the creation of new urban areas and to hard socio-economic conditions rather than to an intrinsic immoral tradition of the colonized, as Britain would claim. Factual evidence shows that the prostitution areas coincided with the colonizers’

²²⁶ Ivi Pag.67.

²²⁷ Aderinto, S. (2015). *When sex threatened the State: Illicit Sexuality, Nationalism, and Politics in Colonial Nigeria 1900-1958*. Chicago: University of Illinois Press.

military settlement, mining camps and urban center. Therefore, prostitution served the colonizers.

Albeit *de facto* it is highly tolerated especially in the form of brothel-like hotels, prostitution in Nigeria is *de jure* illegal and punishment appear to be extremely severe.

The Nigerian Criminal Code categorizes sex-related crimes in Chapter 21 named "Offences against Morality"; article 216 states that "any act, if done without consent, would constitute an assault". Abuse of a girl under the age of 13 is punished with life imprisonment. The verb used in the code to refer to sexual acts is "to deal with" or the biblical "to have carnal knowledge", expression which reflects the dimension of socio-cultural shame and embarrassment associated with this subject. In the story of Abigail, one of the Nigerian girls part of this study, reported in chapter 1, we find how she refers to rape in terms of "having his way with me".

As regards prostitution, Nigerian laws criminalize and punish with a one-month conviction "every common prostitute behaving in a disorderly or indecent manner in any public place" or "loitering and persistently importuning or soliciting persons for the purpose of prostitution" under chapter 24, art 249 of the Nigerian Criminal Code devoted to "Idle and Disorderly Persons".

3.4 National LF: Italy

Law n. 75/1958, art.3 (known as the Merlin Law) is the only existing legal instrument concerning prostitution in Italy. It dates back to 1958, when the female senator Angelina Merlin, following an abolitionist approach, successfully proposed the adoption of a law not prohibiting prostitution *per se* but its exploitation and abetment. She affirms that

"It is the faulty economic-social system that creates the need for prostitution. We must transform current society and the shameful

institution will cease (...). The badly constituted society violates the two most powerful human instincts that constitute the natural law of progress: the preservation of the individual and the continuation of the species, unjustly distributing the products of labor, denying the right of love. The social phenomenon of prostitution is precisely the fruit of this violence (...). The woman is in a state of inferiority, both at home (...) and at work (...). When the woman understands that she is a part, and not the least negligible, of the exploited class, she will participate in the struggle against the regime that oppresses her"²²⁸.

Merlin was an extraordinary *ante litteram* fighter for gender equality; it took 10 years of negotiations for her law to be finally adopted. After 60 years of existence, and in the light of the completely changed historical scenario and of the composition of the prostitution supply, now comprising mostly vulnerable migrant women, a thorough review and update taking into account the present-day situation would be highly needed and beneficial.

The trend of Italian politics on this topic, as in many other urgent socio-economic emergencies, is to idle. The current relevant bills for discussion presented in the period 2013-2017 aim at either sanctioning the clients or at legalizing prostitution.

The main and most recent bill on clients' sanctioning /criminalization was presented in 2016.

A modification of the Merlin law (N. 3890²²⁹), following a petition by the

²²⁸From Merlin's article "Maddalene" published on the "Eco dei lavoratori" on 4 March 1922. Reported by Sir-cana, G. "MERLIN, Angelina In "Dizionario Biografico"". *Treccani.It*, 2017 <[http://www.treccani.it/enciclopedia/angelina-merlin_\(Dizionario-Biografico\)/](http://www.treccani.it/enciclopedia/angelina-merlin_(Dizionario-Biografico)/)> [accessed 19 December 2017].

²²⁹House of Representatives (9 June 2016) Draft law No. 3890 on the introduction of sanctions for those who use the sexual services of persons who practice prostitution. XVII LEGISLATURE. Available at <<https://parlamento17.openpolis.it/atto/documento/id/251825>> [accessed 25 November 2017].

Papa Giovanni XXIII Association gathering 110,000 signatures, proposed on 9/6/2016 by leftist (PD²³⁰) female MP Bini, suggested pecuniary sanctions for the clients of prostitutes up to 10,000 euro and conviction up to one year for reiterative behaviors. This same modification was presented in October and November 2016 by, respectively, leftist female senator Puglisi (DDL 2563²³¹) and rightist senator Giovanardi (DDL 2586²³²).

The bill of the opposite faction, pushing for legalization of prostitution was presented in 2015.

The latest discussion on the legalization of prostitution in Italy was introduced by MP Turco belonging to M5S²³³ in proposal N. 3180 dated 16 June 2015. The parliamentarian sees prostitution as a taxable job and includes measures for VD (Venereal Diseases) prevention. Art 2 of his bill includes the right to privacy for the clients but not for the prostitute:

“Whoever practices prostitution is kept to the utmost privacy of the client's identity²³⁴”

Curiously enough, Turco intends to use revenues coming from taxation of prostitution in order to assist victims of trafficking:

“New and substantial economic resources would also provide greater opportunities to support and promote concrete prevention and assistance initiatives for all victims of trafficking in humans, with support and protection paths for those who intend to denounce these unscrupulous

²³⁰ Partito Democratico, Democratic Party.

²³¹ House of Representatives (13 October 2016) Draft law No. 2563 on the introduction of sanctions for those who use the sexual services of persons who practice prostitution. XVII LEGISLATURE, Available at < <https://parlamento17.openpolis.it/atto/documento/id/301414>> [accessed 25 November 2017].

²³² Senate (3 November 2016) Draft law No. 2586 on the introduction of norms to eliminate exploitation of prostitution. XVII LEGISLATURE. Available at <<https://parlamento17.openpolis.it/atto/documento/id/304940>> [accessed 25 November 2017].

²³³ Movimento 5 Stelle is the political movement founded in 2009 in Italy by Beppe Grillo neither affiliated to the right nor to the left. See House Of Representatives (16 June 2015) Draft law No. 3180 on prostitution regulation. XVII LEGISLATURE. Available at <http://www.camera.it/_dati/leg17/lavori/stampati/pdf/17PDL0033171.pdf>.[accessed 25 November 2017].

²³⁴ Original Italian text: “Chi esercita l'attività di prostituzione è tenuto alla totale riservatezza dell'identità del cliente”. See House Of Representatives (16 June 2015) Draft law No. 3180.

exploiters²³⁵”

overlooking the fact that in Italy “prostitution is predominantly related to trafficking in human beings²³⁶”, 90-95% of prostitutes are migrants, as confirmed by international researches as well as by all Mobile Outreach Units all over the country ²³⁷ and by crossing the data on disembarkations with the ones on street prostitution: 100% of them are poor and 37-46% of them are underage.

Another similar proposal comes from rightist senator Razzi in 2014²³⁸ : he intends to create a register of “sexual assistance operators” (art 1 bill 1370) working exclusively indoor and sanctioning any outdoor “sexual assistance”. His bill allows for advertisement of sex services in daily and periodical newspapers as well as on TV and radio between 11 pm and 6 am (art 4).

A correspondent proposal (bill 1201) came in 2013 from leftist MP Spilabotte, *Cirinna' et alii*²³⁹ with the peculiarity of requesting the prostitute to hand a certificate of psychological fitness, to regularly register at the Chamber of Commerce not to incur in sanctioning and to compulsory use condoms. Clients would be sanctioned only when involved in outdoor sex activities.

The Italian Supreme Court of Cassation with judgement n. 20528 dated 1 October 2010 affirms that prostitution is legal and could be taxable. On

²³⁵ Original Italian text: “Nuove e consistenti risorse economiche offrirebbero anche maggiori possibilità per supportare e promuovere iniziative concrete di prevenzione e di assistenza a tutte le vittime della tratta di esseri umani, con percorsi di sostegno e di protezione dei soggetti che intendano denunciare questi sfruttatori senza scrupoli” Turco, 16/6/2015

House Of Representatives (16 June 2015) Draft law No. 3180.

²³⁶ Original Italian text: “La prostituzione è legata prevalentemente alla tratta di esseri umani”, Bini 9/6/2016 House Of Representatives (9 June 2016) Draft law No. 3890.

²³⁷ Tampep indicates 90%, Aghatise 95% and APG23 100%. See Tampep, Sex work in Europe: a mapping of the prostitution scene in 25 European countries; Aghatise, Trafficking for prostitution in Italy; APG23, I numeri della tratta in Italia. Available at <http://news.apg23.org/downloads/files/APG23_dati_tratta.pdf> [accessed 22 July 2017].

²³⁸ Senate (7 March 2014) Draft law No. 1370 on norms in the profession of prostitution. XVII LEGISLATURE. Available at <<https://www.senato.it/service/PDF/PDFServer/DF/302162.pdf>> [accessed 22 July 2017].

²³⁹ Senate (10 December 2013) Draft law No. 1201 on regulating the phenomenon of prostitution. XVII LEGISLATURE. Available at <<http://www.senato.it/japp/bgt/showdoc/17/DDLPRES/736418/index.html>> [accessed 22 July 2017].

off might be plainclothes men (policemen).

Before starting street work the madam or someone in her place explains the colors and features of enforcing authority cars.

Criminal context

3.8 The Republic of Ballarò or “Little Nigeria”

One of the most important issues tackled by this research is the strong link between the context, the phenomenon and its theoretical implications. That is why a deeper knowledge of the neighborhood headquartering the Nigerian mafia in Sicily, and plausibly in Italy, is an indispensable piece of the puzzle.

At least some 400 Nigerians roam around Ballarò streets every day. Ballarò is originally a historical market, become an outlaw area of Palermo, where police forces as well as public authorities are comprehensibly afraid to sift through. In more than one case policemen were assaulted and casualties are to be put on the agenda in case of scuffles: the inference is that in this borough it is possible to elude any law with a wide margin of impunity. It is strategically located nearby the central railway station, whose nearness facilitates non-traceability of movements. Ironically, it borders the old and new crumbling symbols of crumbling alike ruling powers: the historical Norman Royal Palace, and the Orléans Palace, headquartering the Sicilian Region Presidency. Surprisingly, the Central Police Station is located just at the entrance of Ballarò.

The Nigerian migrant community of Palermo almost entirely lives in this area, shopping African rough or ready food, along with drugs and young girls. The interest of the Nigerian mafia's rackets widened to include, besides prostitution and drug, begging, illegal parking attendance and credit card cloning²⁴³. Europol, the European police, has described the

²⁴³ Credit card cloning is one of the favorite illegal activities of Nigerians not only in Palermo, as verified during my fieldwork, but also across Europe. See Italian Police Investigations named “Mastercard” (Pisa, 2012), “Cards & Bros”(Perugia, 2012) and “Credit Card” (Trieste, 2011). Available at <http://www.avvisopubblico.it/home/wp-content/uploads/2014/05/DNA_Dicembre-20121.pdf> [Accessed

association networking all businesses in Sicily which are no more bowing the knee to mafia) and of a number of Bengali shopkeepers working in Ballarò, who, in May 2016, started reporting abuses and extortions to the police²⁴⁴. In the last years, in order to diversify, increase and reinvest profits, "Cosa Nostra" decided it could not only count on drug trafficking or public tenders with the support of ever present corrupt politicians as it happened at the "golden" time of the so-called "Sacco di Palermo"²⁴⁵. The XXIst century new frontier of huge gains shifted towards migration. A phenomenon that is moving a lot of money in the North (shelters and migrant-related businesses) as much as in the Majority world (human trafficking), could not be neglected by the biggest and most successful Italian "firm" (Cosa nostra). Therefore, in this last decade untraceable earnings are entering the mafia intakes through the sexual exploitation business, in cooperation with Nigerian counterparts.

The 2017 report of the DIA²⁴⁶ (Direzione Investigativa Antimafia) referring to the semester June-December 2016 pinpoints that Sicily is the Italian region with the highest number of Nigerians condemned for organized crimes such as mafia-like or criminal association. The second region is Campania where one of the main Nigerian mafia hubs in Italy is located: Castelvolturmo (province of Caserta).

The agreement between Cosa Nostra (Sicilian Mafia) and the organizations known as Black Axe, Eiyè and the emerging Vikings (Nigerian mafia) represents the starting point for sexual exploitation of Nigerian girls (minors as well as adults). The Black Axe (Ascia Nera in Italian), known also as the Neo-Black Movement of Africa was initially founded in 1977 in Nigerian university campuses as a confraternity of students association

²⁴⁴ Repubblica (23 May 2016) Gli immigrati di Ballarò contro il racket. In manette i nuovi boss del pizzo. *Repubblica.it* Available at http://palermo.repubblica.it/cronaca/2016/05/23/news/la_rivolta_degli_immigrati_di_ballaro_arrestati_i_nuovi_boss_del_pizzo-140390611/ [accessed 25 November 2017].

²⁴⁵ A legalized abusive urban speculation in the sixties that has permanently brutalized the city of Palermo because of a strong nexus politicians-mafia people.

²⁴⁶ Anti-mafia Investigation Board (2017) Rapporto giugno-dicembre 2016. Available at <http://direzioneeinvestigativaantimafia.interno.gov.it/semestrali/sem/2016/2sem2016.pdf> >. [accessed 25 November 2017].

sinking its roots precisely in Benin City, city of origin of 90%²⁴⁷ of the Nigerian girls exploited in Palermo. Eiye results from an internal scission of the Black Axe. Founded at the University of Ibadan it is known also as the Air Lords confraternity. Its symbol is an eagle (eiye means bird in Yoruba) and its "nests" represent the cells that are present in each city. The confraternity specializes today in counterfeited documents, drug dealing and extortion activities, and manages relations with other foreign mafias, such as the Albanian and Romanian, present in our territory.

These two Nigerian criminal organizations, dedicated to drug trafficking and prostitution racket, have the *faces* of religious associations or paramasonic brotherhoods and interweave relations with all the Nigerian associative entities present in our territory. They require of their followers, whose membership establishes a blood-like relationship that has the supremacy over any other family relation, to participate in macabre rituals of initiation such as drinking human blood and wearing a beret depicting a skull and crossbones. After this ritual, members become brothers to all intents and purposes.

The same *modus operandi* has been identified in women's confraternities such as the White Angels and the Pink Ladies whose presence has been signaled too in the Italian territory.

It is possible to find an interesting parallelism between the Nigerian and Sicilian mafia affiliation rituals. They are very similar occultist practices and have both in common the use of blood to seal a pact, a pretentious religiosity, the presence of death symbols and a life bonding oath.

In Sicilian mafia affiliation rituals, the hand or arm of the new adept is pinned. His blood is spread on a sacred image. Then, the adept pronounces his oath and sets fire to the sacred image whose ashes are then dispersed in air: this will be the end of those who turn into the organizations traitors.

²⁴⁷ INTERPOL found out that 90% of the Nigerian women trafficked to Europe for sexual exploitation are from Benin City. See UNODC, *Transnational Trafficking And The Rule Of Law In West Africa*, p.42.

prostitution. Girls are often used to transport drugs all over Italy. Their trip sometimes start in Palermo, some other times in Barcellona Pozzo di Gotto or Castelvetrano, two high-density mafia areas in the provinces of respectively, Messina and Trapani. Journeys are done by extra-urban bus in order not incur in identifications or police checks which are instead much more frequent in trains. The job is entrusted to women, this time modestly dressed, as they look less suspectable than men. The “merchandise” is hidden in normal suitcases.

Girls make wide use of alcohol as well as psychotropic substances such as hashish, cannabis, cocaine, heroin (candy) and LSD in order to overcome inhibitions and profound shame they feel when they “do prostitution”.

Girls

3.12 Girls profile or “the Benin City oil”

The profile of girls landing in Sicily has been changing over the years. They can be categorized them into 2 sections: unaccompanied minors and vulnerable adults.

IOM and Save the Children stress that the number of Nigerian UFM grew exponentially in 2015 and 2016 in comparison with 2014. In the last 2 years age has been going down to a minimum of 12/13 years²⁴⁹.

Most of the girls arrive in Europe by boat from Libya from a city which they call “hope town” (as it is the shore from which they will reach the “promised land”): this is Zwara.

Some of them, instead, arrive by plane, often landing in Madrid or Valencia. On the one hand, this fact questions the integrity of the Spanish embassy in Nigeria and the way Schengen visas are obtained by these girls or, more probably by those who organize their trip to the “promised land”. My fieldwork found that some Nigerian girls who accessed Europe by a Spanish visa are currently exploited in Italy (Palermo, Castelvolturno,

²⁴⁹ See IOM, Migration, human smuggling and trafficking from Nigeria to Europe. and Save the Children, Piccoli schiavi invisibili.

Turin) and Denmark (Copenhagen). This finding regarding the Nigerian girls exploited in Palermo is confirmed by Okoedion²⁵⁰ and reinforced by Nigerians living in Denmark who came through the same route.

Female, more than male children, are supposed to financially support and take care of their parents. In many indigent families underage daughters are prevented from attending school with the aim of procuring money to the family with the proceeds of prostitution.

Regarding Female Genital Mutilation, 27% of the girls met in Palermo have experienced it.

The girls' schooling level is the following:

- Illiterate (36%)
- Primary school (34%)
- Secondary School (24%)
- University (6%)

Their religion is:

- Christian (72%)
- Muslim (13%)
- Animist (10%)
- Atheist/Agnostic (5%)²⁵¹.

They all speak Pidgin English along with their dialect, in most cases Bini, which is the Edo state major language. Regarding second languages, very few of them are able to speak Italian. This happens for many reasons: the madam might not allow them to attend classes, the girl feels too tired because of the sleepless nights and therefore unable to go to school, only a couple of schools in Palermo accept undocumented migrants.

They use wigs, heavy make-up and dress provocatively as they are forced

²⁵⁰ Okoedion, *Il coraggio della libertà*, p. 11.

²⁵¹ Data collected during fieldwork in Palermo in the period 2014-2017.

to do. Clothes and shoes are provided by the madam, of course not for free. Some groups curiously have the same shoes and clothing, meaning that they probably belong to the same madam.

Their body, and especially their face is crafted with tribal marks on one or both cheeks. They are a sign of social identity often used in African tribes.

3.13 Identity: name and age

The concept of identity is of foremost importance in this research as it discloses new horizons in the path to interpret the exploitation phenomenon.

The right to personal identity is outlined in Article 6 of the Universal Declaration of Human Rights

“Everyone has the right to recognition everywhere as a person before the law”.

Apparently, hence, the right to have a name and to have it registered in a public office is recognized by international law. John Locke's argument on personal identity defined through psychological continuity is enlightening with respect to the study of prostituted Nigerian girls, whose identity is undermined on a daily basis.

At this point, it is crucial to emphasize that in Nigerian culture each person is called by several names and bears as many names as the number of his/her relatives. One of the exploited girls says that she was even called differently by her mother and father. However, migration is the crucial moment which completely changes the history of their life, the turning point indelibly marking it forever. After migration, the lovely two or more names given by the family members are replaced by a name given by the traffickers or the madam. Name change is no more the result of an affectionate look but of concealment necessities.

As soon as girls disembark, they give the authorities false names and false birth dates, but they don't generally lie on geographical origin (except

someone affirming of being Ghanaian). They have been instructed before leaving Nigeria not to reveal their real identity (though constituted by more than a name) under any condition.

The name change is the first step towards the Dissociative Identity Disorder (DID), a mental illness whose degree of severity is variable. DID is "a dissociative mental disorder in which two or more distinct personalities exist within the same individual; formerly known as multiple personality disorder"²⁵². The change becomes fully effective for most Nigerian girls upon their arrival and exploitation in the Libyan so-called connection houses (brothels). Their awareness of self-identity starts vacillating at the Libyan shores, and gets then entirely sunk in the rough waters of the Mediterranean sea. Once arrived in Italy, name changes become very frequent. Sometimes the girls themselves do not remember what was the last name they introduced themselves by. The explanation for changing the name does not only rest upon the necessity not to be identified and repatriated but also on the more important issue of self-image. Associating an action they reckon deplorable or shameful with another name gives them the possibility to deceptively detach their real self from that action. It is an attempt to preserve, along with their real name, a good self-image.

The girls' original African names have often little in common with European languages; sometimes they might have some connection with Christian culture. They result nearly unpronounceable and very complex for us, owing to a strong nexus to Nigerian languages whose phonetic system does not perfectly coincide with ours. The African names collected in this research period are: Owas, Omoyemwen, Ejiro, Isoken, Akugbe, Mimi, Beki, Osas.

The working names used in Italy can be grouped as follows:

- 1) Generic and Christian faith-related. This group sounds quite

²⁵² Gerrig, R. J. and Zimbardo. P., (2002) *Psychology And Life*, 16/e. Boston, MA: Allyn and Bacon. Available at <<http://www.apa.org/research/action/glossary.aspx?tab=4>> [accessed 20 December 2017].

“anonymous” as it does not recall any relative's or local Nigerian name. The most widely used are: Blessing, Favour, Faith, Joy, Happy, Divine, Princess, Loveth, Gift

2) Westernized. Jessica, Kate, Jennifer, Michelle, Juliet, Annabelle, Naomi, Lilian, Ester, Pamela

3) Italianized. Francesca, Sandra, Angela, Franca, Vanessa, Sonia.

The second big identity-related topic is age. Almost all Nigerian girls are instructed not to tell their real age but to increase it. Some girls do not know the reason for lying but they obey instructions. Others deliberately lie with the objective of not being caught as underage prostitution is prohibited in Italy. The declared age always goes from 20 to 25 whereas the real age is 13-27.

Besides, almost none of them knows her real birthdate because the habit in Nigerian villages, as well as in many other African areas, is not to register births. This is due to the fact that public General Register Offices are often in the cities and therefore out of reach. It is also true that registration is not deemed indispensable given that people are not enjoying benefits offered by the State. More specifically, public health service facilities are replaced by local native doctors' treatments, schools are either overcrowded or unavailable especially in remote areas.

The construction of a separate prostitution identity, in the oral as well as written narratives of the girls

“we spent another 3 weeks in Tripoli before moving to a camp, we were told by the owner of the living house to change our name and date of birth. I was told to tell the Italians that my name is Jennifer Green and that I was born August 5, 1991”²⁵³

is a recurrent finding in literature. Ekman²⁵⁴ makes it the pivot concept of all her study focusing on the consequences of maintaining a double

²⁵³ See Chapter 1, paragraph 1.2.

²⁵⁴ Ekman, K. (2013). *Being And Being Bought*. North Melbourne: Spinifex Press.

identity in terms of split personality in both prostitution and surrogate motherhood. Hulusjö reports a prostituted woman's struggle in simultaneously keeping one private and one public self:

"H: So, who is she Jenny?

S : I don't know really...she is very happy, always happy and horny. She is always done up and sassy and chic, I'm pretty tired usually...and she is good at talking, I'm not really or yes...I don't know. Really she is kind of me—I know that they say you have to be able to separate you as an escort and your private self (...) I have a hard time not to talk about myself if you know what I mean?"²⁵⁵

3.14 Facebook profiles

Facebook profiles are most probably the best way to get closer to the real identity of girls. Some of them often create double profiles: one for "work" and another one for friends and family. This is a good way for a girl to remember who she really is and where she comes from, besides having the possibility to freely communicate via web with Africa. On the other hand, facebook profiles can also be a way to keep control on them.

It is possible to affirm that after few weeks of exploitation, the identity of girls gets clearly damaged and, together with it, self-esteem.

3.15 Language

"We know few Italian words, only those we need to work. Maman says it is better not to know Italian language"²⁵⁶

Only very few Nigerian girls, generally the ones who control the others, speak Italian. Exploited girls are very often prevented from learning the language in order to be kept in social isolation. Knowing the language would give them a dangerous independence from their exploiters. A little

²⁵⁵ Hulusjö, A. (2013). The multiplicity of prostitution experience. Health and Society Doctoral Dissertation. Malmö: Malmö University. p.256-258.

²⁵⁶ From interviews conducted by the Italian National Newspaper Repubblica.

La Repubblica (7 November 2017) *Le nigeriane di Roma: "Meglio morire in mare che schiave sulla strada"* Repubblica.it. Available at

<http://roma.repubblica.it/cronaca/2017/11/07/news/le_nigeriane_di_roma_meglio_morire_in_mare_che_schiave_e_sulla_strada_-180453422/> [accessed 20 November 2017].

subjected to a senior, and a few of them are remotely controlled by the madam from other Italian cities or even from other European countries. Though they pay a disproportional monthly rent fee (even up to 400 euro each), they are not entitled to a room of their own and sometimes not even to a bed. Queen size beds are shared among 4/5 people, and in the worst cases, there are shifts to sleep as the bed is only one. Privacy is of course lacking by all means.

When girls are punished, they are forced to work uninterruptedly for over 24 hours, without even going to sleep.

3.19 Contraception

Home-made contraceptive methods utilized by the girls following the madam's advice consist in foam or pieces of clothe directly inserted in what they call "the private part". Pharmaceutical contraception methods, used only by a small percentage of them, include the injection of medicines containing medrossiprogesterone acetato which is a progestinic commercialized by the name of Depo-Provera, whose contraceptive indications are not authorized in Italy.

3.20 Nollywood

The girls' mindset is very much influenced by the vision of African films and in particular by the ones produced by the National Cinema of Nigeria.

Better known by its New York Times-given nickname since the early 2000s, Nollywood (Nigerian+Hollywood) is the Nigerian film-making industry. It offers precious insights into the Nigerian society, culture and lifestyle besides forming the mind and heavily influencing the girls' way of thinking. Cars used in Nollywood films, which are always high-ranking (Mercedes or BMW) form part of the European dream.

It is noteworthy that one of the most popular and financially successful cult thriller film, marking the starting point of the Home Video Era produced by Nollywood, "Living in bondage" (1992), besides being a fantastic Nigerian social icon, addresses most issues related to this study:

bondage, upstarts (parvenu), sexual assault, Satanic secret cults, ritual sacrifices, ghosts persecution, idolatry of wealth, blinding and castration, drug selling, murder, marriage, evangelical faith.

The Nollywood celebrity and writer of the above-mentioned film, Mr. Okey Ogunjiofor, has recently changed his career becoming a pastor: from the cinema to church. This switch is very common in Nigeria where many actors, show-businessmen, TV owners and pop stars, such as Chris Okotie (musician) and T.B. Joshua (Emmanuel TV owner) have funded new churches, becoming the richest clergymen in the country. An interesting account of Nigerian pastors involvement in human trafficking is represented by the recent movie "Pastors and Prostitutes".

Remarkably, Nollywood films show an obsession with sex-related scenes. Prostitution is shamelessly and frequently chosen by Nollywood as the main topic of a film. "The prostitute", "The blind prostitute", "The virgin prostitute", "Mary the prostitute", "Glamour Girls" "The first lady" (2015) are only few examples. It is thought-provoking observing that this latter film, interestingly produced by a woman and ranked first and highest grossing in Nigeria in 2015, focuses on street prostitution and pimps, in line with recent trends witnessing uprising arrivals of young Nigerian girls in Italian streets.

3.21 Music & dance

The way Nigerian almost all girls (including the underage) are used to dance is very provocative. Their movements and poses for photos are undoubtedly sexy.

They imitate the movements of their favourite national singer, Wizkid, and spend their time waiting for final exploiters listening to his music.

3.22 The sea and its magic

As nowadays 100% of the girls on the road arrive to their modern Slave Coast by boat, they have a bad relation with the sea. On the one hand they have terrible memories of the journey from Lybia to Sicily and

therefore are afraid of it. On the other hand, they consider the sea as something magical, inhabited by sirens (who, as in the ancient Greek myths, lured sailors onto rocks through their singing) and by semi-god creatures such as Mami Wata.

Mami Wata is a water spirit, associated on one side with sex and lust, on the other side, paradoxically, with the concept of fidelity. According to Nigerian tradition her devote followers can meet her under the guise of a prostitute. She has the power to bless somebody giving him wealth and curse him/her causing even his/her death.

Money

3.23 ECONOMY OF SLAVERY

The amount of the debt contracted by the girl during the juju ritual for the travel costs is unknown until arrival. To have a clear picture of the phenomenon it is essential not to forget that the girls' average schooling level is very low: that is why they are rarely fully able to measure the amount of money, to evaluate it in the light of the new currency (euro instead of naira) and to have a perspective on the time needed to repay. Girls who have not yet paid anything for the journey from Africa will be the ones owing the highest debt: from 35,000 by boat to 70,000 euro by plane.

The debt is not a fixed amount of money but increases over time in order to include house and sidewalk rent, clothes, food, hair care products and unforeseen expenses.

In this paragraph we will quantify the price of girls, inversely proportional to their age: the younger, the more expensive. As we are speaking about slaves, we can start describing the most costly "item": a 12-year-old. The estimate of her market value goes up to 100,000 euro, a sufficient amount of money to buy a villa in Benin City and to guarantee a permanent pension fund to her family in Nigeria. Being Palermo, as many other Italian cities, full of pedophiles, she will be for the madam and for

her family the goose that lays the golden egg. The family gets rid of a burden and enjoy the revenues of sale, the madam gets in possession of a diamond-like "item", the final exploiters increase requests and the other women can manipulate her being so young and ingenuous. The most severe violation this girl suffers is group rape, done in Nigeria and repeated several times in order to get the girl "ready for the job" if she is still a virgin, which is regularly the case. Some virgin girl reported of having been sexually "rented" by her family to an HIV-infected African man as, according to an African superstitious misguided belief, having a sexual intercourse with a virgin would cure the illness.

The average price to be paid by a client for a sexual intercourse with Nigerian girls ranges from 5 to 20 euro, depending on the experience of the girl. As it is evident, prices are extremely low, the lowest in the whole prostitution market of Palermo: this is one of the reasons for the broader violence episodes they are subjected to, in comparison with prostituted women of other nationalities. Having a clientele belonging to a lower social class inclined to maltreatments expose them to higher risks of harassment and life-threatening situations as the numerous killings of young Nigerian girls in Italy remind us. Their Eastern Europeans homologues target a higher ranked clientele and get better payments, being white and more desirable for a certain category of men. The few Italian prostitutes working in Palermo do not like their black competitors and call them names (such as "turchi", Sicilian dialectal word literally meaning "Turkish men" but indistinctly used to address black men or women) as they are younger and cheaper.

Girls' earnings per day equal to zero as they are slaves: "the women usually have minimal access to the money they earn" (IOM 2006, 48). Their revenues are to be bindingly given to the madam. They manage to daily deliver to their madam between 20 and 200 euros. The average amount monthly claimed by the madam is around 3,000 euro, excluding eventual random fines inflicted because of misbehavior and which may

amount up to 2,000 euro per year. House rent is generally around 200 euro though bedroom or even the bed itself is shared with other girls. Additionally, other expenses include the sidewalk rent (Italian "pizzo", an extortion in the form of protection money that is translated by some people as "joint" in English) which amounts to 100/200 euro per month and a small budget for wigs, hairdresser's and cosmetics.

Last but not least, the debt is not to be considered only in monetary but also in psychological and moral terms²⁵⁷.

3.24 AFRICAN CHURCHES OR THE GOLD MINE

"Ma? I think you have the spirit of husband-repelling. You are too hard, ma, you will not find a husband. But my pastor can destroy that spirit."²⁵⁸

The reality of Nigerian churches in Palermo is very diversified though they have in common pentecostalism. It is noteworthy indicating some key characteristics of the pentecostal belief which will shed a light on sexual exploitation of Nigerian migrant women.

Pentecostalism counts on the presence of over 700 denominations and an unrecordable number of independent churches. The new belief came into existence in the XXth century and took root in Nigeria, particularly in the Niger Delta area, in the same period²⁵⁹. Some key pentecostal concepts, evident in the prayers done by the prostituted girls in the street and by the assembly in the church will be object of our analysis. They are:

- Wealth and prosperity

Reconnecting to the old Jewish and modern Calvinist tradition of the consequential nexus between God's blessing and material success, and contrary to many other Christian traditions, pentecostalism positively interprets material wealth and life success. They are a clear sign of God's

²⁵⁷ UNICRI, *La Tratta Delle Minorenni Nigeriane In Italia*, p. 106.

²⁵⁸ Adichie, *Americanah*.

²⁵⁹ See Farounbi, J. (1997). *A Brief History of Pentecostal Movement in Nigeria*. Mushin, Nigeria: Lemuel Publishers. Chapter 4.

blessing and nearness. Thereupon, unsuccessful people are on the wrong path.

- Body

The body is positively seen as a gift of God. It is not in itself sinful instead it is the means to communicate with Him and with others. It can be used as a money-making instrument²⁶⁰.

- Evil

The power of evil is highly regarded and sometimes in praxis considered at the same level of the power of God. Evil is not identified only with the devil himself but with a number of spirits embracing fallen angels, wicked forces of nature, deceased people searching for revenge. All misfortunes of life such as illness, death, financial troubles, arrests are considered as the result of curses done by somebody against a specific person or family. Evil spirit may appear in the middle of the night to scare people or remind them in reality or in dreams that *pacta sunt servanda* whenever they are in doubt about several issues such as paying the debt to the madam.

- Prayer

Prayer is the magical way through which people implore God or thank him. It often takes the form of songs, clapping and dances. Nigerian girls, similarly to their fellow believers, frequently invoke "the blood of Jesus" to cover them and hide them from the sight of ill-intentioned people. The invocation "blood of Jesus" is used in moments of fear (when the police approaches for example). Apart from the one just mentioned, they use a lot of formulas such as "in the name of Jesus", after which everybody responds "Amen" indicating that their prayer style is strongly community-based. A person can pray by him/herself but God, often invoked as "Alpha and Omega" without them even knowing the meaning of these words, will surely listen more to collective requests supported by other

²⁶⁰ Jeannerat, C. (2009). *Of Lizards, Misfortune and Deliverance: Pentecostal Soteriology in the Life of a Migrant*. In African Studies Journal. Volume 68, 2009 -Issue 2: Religion and Migration.

brothers/sisters. Most prayers ask for miracles, healings and curses against “the enemies”, the ill-intentioned customers, the police or the evil spirits.

- Body

The body is very much involved in the expression of prayer. When praying girls enter another dimension: everybody closes his/her eyes and look for connection with “Baba” (Daddy). If somebody shows signs of uneasiness and starts shaking or faints, a pastor, that can be a woman, lays hands on the physical or spiritual sick, invoking the strong “power of the Holy Spirit and of the blood of Jesus” and performing an exorcism.

Work

3.25 Mapping Nigerian outdoor prostitution in Palermo: workplaces

In order not to incur in the prohibitions set by the Merlin Act sanctioning houses of assignation, outdoor prostitution is preferred by traffickers to indoor because streets are a safer business than brothels which are more easily traceable. A number of Nigerian adolescents living in Palermo are locked up in the brothels of Ballarò specifically tailored to the needs of African clients: being clearly underage they cannot be put on the roads for the risk of being identified as minors and brought to reception centers by the police. Street prostitution has instead many advantages: it is easily accessible by customers and does not require huge investments or cause hazards.

There are four main exploitation macro-areas or, as the neo-regolamentarists would say, “workplaces” for street prostitution in Palermo: the Port, the Favorita Park, the Central Railway Station and Palazzina Cinese. The first two are the largest of all. It would be interesting to understand the reasons behind the choice of these locations, which they will be investigated further on.



Illustration 27: Mapping Nigerian Outdoor Prostitution in Palermo

3.25.1 The Port: the new frontier of organized crime

Ironically, the location where girls disembark will coincide with the place of exploitation. The dreams about the “promised land” will shatter few days after arrival. The first analysis regards the main street bordering the Port of Palermo: via Francesco Crispi. The workplaces of Nigerian girls in this area are mainly 3 and are characterized by the presence of small or big groups of surely underage girls. In order to univocally identify them, these areas are nicknamed as follows:

1. “the kiosk”, just across the last port gate, located on the sidewalk of via Crispi 426, where a big group of girls (average 10) is manifestly and strictly controlled *in loco* by a controller/madam who does not work but is dressed as if she worked
2. “Agip”, located on the sidewalk of via Crispi 84 in front of Bar Aloè

where a small group of girls (4) disciplined by an “older sister” (a kind of *primus inter pares*) and remotely controlled by white men passing by. In this sidewalk it is possible to randomly notice the presence of young girls coming from the CARA of Mineo, which is the biggest refugee camp in Italy and Europe hosting over 4,000 migrants besides being the main target of the Mafia Capitale investigations

3. “XIII vittime”, located in two different corners of the homonym Piazza XIII vittime: one is the area surrounded by hedges, at the crossroads with via Cavour, and the other one is situated opposite the one just indicated, in the dark and isolated area of IP gas station at the crossroads with via Filippo Patti. These two groups are characterized by a flooding numeric presence (15-20), high turnover (they spend few months there and then they disappear and are transferred somewhere else) and very young age (13-18 years).

The entire Via Crispi, being a two-way street is “rented” to two different customers: Nigerians (Cala direction lane) and Eastern Europeans plus few Tunisian and one Italian (Ucciardone direction lane).

3.25.2 The Central Railway Station

The Central Station of Palermo is a high-criminal concentration location. Being the main rail as well as bus terminal, it is one of the main meeting points for Nigerian girls, especially for those who prostitute in Favorita Park and easily reach it by public transportation. The areas around the Central Station such as Corso dei Mille (especially in the surroundings of “Gelateria Ciccio”) and via Garibaldi (and nearby streets in the direction of via Lincoln) are also workplaces for prostitution albeit here is more common to find girls by themselves rather than in groups.

3.25.3 Favorita Park

The Favorita Park environment favors concealment thanks to the presence of trees and bushes. The presence of girls in this workplace is quite stable. In the Palermo-Mondello lane there has been for a long time till present

only one girl holding the refugee status who apparently works alone. Few meters farther there is a small group of 2-3 young girls remotely controlled. Instead, in the Mondello-Palermo lane we find a big group of underage girls (over 10 people) softly controlled by one of them (again a *primus inter pares*) who works as well.

3.25.4 Palazzina Cinese and surroundings



Illustration 28: Palazzina Cinese Side Entrance

While at nighttime the main entrance gate of Palazzina Cinese is apparently closed, by looking more attentively it is possible to notice that the monument area is accessible on both its lateral sides. The first and more evident access (photo above) is constituted by an open gate just a couple of meters far from the large lateral gate on its left-hand side, located in viale Duca degli Abruzzi 1.

The second access (see following photo), at the very end of via Ercole, located symmetrically opposite the main gate, is possible thanks to an apparent random large gap between the two pieces of a double gate, kept together by a chain whose function could be to prevent cars but to allow pedestrians and bikes to transit. It would be newsworthy to understand the reason behind the decision of leaving the garden of a public monument always open at night, allowing for exploitation of prostitution and drug trafficking thanks to the darkness and isolation of the place while any other public space in the city is to be closed after the sunset.

signaled by an upside-down green beer case standing in the middle of the empty square exactly under the light of the only lamps, just in-between the first and second access. Non-appearance of the green beer case coincides with her absence from the workplace.



Illustration 30: Palazzina Cinese Area

The most important stakeholders, obviously, are not visible. Well-concealed in the bushes of via Ercole, at a stone's throw, it is possible to spot a senior black woman, not in her "work clothes", whose role can be guessed. The group is made of 5/6 girls, some of whom underage.

3.26 Working hours

Recently arrived girls work 365 days a year, without days off. Others, who have already paid part of the debt, are allowed to have breaks on Sundays in order to go to African churches, often accompanied by their madam or somebody else, or on special occasions such as the National Day of Nigeria, which is a common celebration, or their birthday (often an invented day as most of them do not know their date of birth).

There are two main 7-hour work shifts. The day shift is from 9 am to 4 pm

whereas the night shift is from 10 pm to 5 am. Each "girls market" has different opening times:

1. The Favorita Park "girls market" is open only during daylight, from 9 am to 4 pm
2. The Port "girls market" is open only at nighttime, from 10 pm to 5 am
3. The Palazzina Cinese "girls market" is open at nighttime, from 10 pm to 5 am
4. The Central Railway Station "girls market" is open at nighttime from 10pm to 5 am.

3.27 Career: from victims to victimizers

Some girls who have already paid part of the debt can afford to "buy" younger girls who will work in their place and repay the debt with their madame in a shorter time (Prina 2003). This is their career progression.

In two different judgements of the Tribunal of Palermo the same Nigerian girl resulted at the same time a victim and an abuser.

3.28 Mobility

Girls' as well as madams' mobility is something impossible to trace. Human merchandise is moved by the traffickers from a city to the other one and from a European country to another one depending on the situations of "danger" the girls might incur in, like giving signs of rebellion such as a timid will to search the police or outreach services that might help her get rid of that condition, or making roots in the territory by starting friendship relationships with white people which could help them out of the racket. Some other times they are made to change city or country because they are sold to another madam; they can be sold many times and keeping track is a very difficult task. Other than that, they change to start themselves a new business, having finished the payment of the debt or being close to it and having conquered the position of new madam.

During my fieldwork I had the occasion to meet girls who, after years spent in Palermo were suddenly moved to northern Italian cities or viceversa. Their knowledge of our territory at national level is extensive, not only because of prostitution but also because of their role of forced drugs courier: apparently, as some girls refer, women are less controlled by the police in comparison with men.

Health

3.29 Health

Health concern is a big issue, both on the girls and on the clients' side. Diseases are spreading among both the Nigerian migrant community and the Italians. The girls' physical and psychologic wellbeing is becoming an increasingly worrisome issue in the sexual exploitation context.

Nigerian girls are characterized by a high level of resilience. Life "on the road", as they say, forces them to live with daily insults, rape, robbery, beating, and diversified kinds of abuses.

3.30 Physical health: injuries

Physical injuries resulting from assaults are very frequent in prostitution because of the nature itself of this exploitative and harming experience exposing already vulnerable people to a much wider range of predictable risks compared to other categories. A research by Farley highlights that 71% of people in prostitution in nine countries (Canada, Colombia, Germany, Mexico, South Africa, Thailand, Turkey, United States, and Zambia) were physically assaulted and 62% reported rapes²⁶¹.

Many permanent or temporary impairments result from intentional injuries, having sometimes lethal effects, provoked by either the clients or the exploiters or violent Italian thieves (as in the case of Antonia Osaf, 23 year old, killed by 3 men in Naples in May 2015).

The last known deaths of prostituted Nigerian girls in Italy, allegedly or

²⁶¹ Farley, M. (2004) Bad for the Body, Bad for the Heart": Prostitution Harms Women Even if Legalized or Decriminalized. In VIOLENCE AGAINST WOMEN, Vol. 10 No. 10, October 2004 1087-1125. p. 1095. Available at <<http://www.prostitutionresearch.com/Farley%20Bad%20for%20the%20Body%2C%20Bad%20for%20the%20Heart.pdf>> [accessed 9 July 2017].

provenly caused by a client, date back to December 2016 in Foggia²⁶² and June 2016 in Benevento²⁶³. The girls were respectively burned alive and shot. As for Palermo, the last death was reported in its surroundings (Misilmeri) in 2012: the girl was burned after killing and the client/killer committed suicide in jail 6 months later²⁶⁴.

The exploiters' violence is much more massive as well as less visible and recognized: many criminal offenses will never reach the "public square" because of the girls' fear of reporting regrettable occurrences. In Palermo many girls were missing during the last 3 years; key informants of this research report that some girls were transferred to other Italian cities, others disappeared (as in the case of the adolescent Mimi²⁶⁵) and others were killed and thrown in garbage bags.

The most emblematic violent practices in the Nigerian community are rape (group or individual) and aggression using broken glass bottles. Mutilation is another kind of ferocity perpetrated against girls. Besides the female genital mutilation that some of them had to undergo in Nigeria, disfigurement is caused by eye/nail/hair/tooth/ear ripping, burns and severe beating. Many compromising damages were reported by the girls: harms to the reproductive as well as central nervous system and limbs.

Few cases of manifest physical self-harming but many of psychological self-sabotage have been reported during my fieldwork.

3.31 Physical health: illnesses

Prostitution is causing a general lowering of girls' health and wellbeing with consequences that often become permanent and devastating: incurable illnesses, infertility (considered as a curse sent by juju), chronic

²⁶² Foggia Today (14 December 2016) Ragazza bruciata viva in un campo: vittima dell'orrore aveva 23 anni. *Foggiatoday.it* <<http://www.foggiatoday.it/cronaca/omicidio-nigeriana-borgo-mezzanone.html>> [Accessed 5 January 2017].

²⁶³ Agenzia Giornalistica Italia (15 June 2016) Nigeriana uccisa a Benevento, ipotesi lite cliente-prostituta. *Agi.it*. <https://www.agi.it/cronaca/nigeriana_uccisa_a_benevento_ipotesi_lite_cliente-prostituta-859139/news/2016-06-15/> [accessed 3 March 2017].

²⁶⁴ Cangemi, A. (3 January 2013) Si impicca nel carcere Pagliarelli era accusato del delitto di una prostituta. *Repubblica.it*. <<http://ricerca.repubblica.it/repubblica/archivio/repubblica/2013/01/03/si-impicca-nel-carcere-pagliarelli-era-accusato.html>>. [accessed 3 March 2017].

²⁶⁵ See Chapter 1, par. 1.11 Mimi: Innocence on the road.

pains. Several life-threatening venereal diseases that were rarely found in Italy are now coming back along with a peak of hepatitis.

As reported by medical doctors in their quality of expert witnesses, the most common physical health threats the girls face are Sexually Transmitted Diseases and Infections (STDI) like syphilis and gonococcal urethritis. Viruses such as HIV/AIDS and genital herpes are also spreading. Mycosis (candida infection) and parasites (pediculosis) are growing.

The reproductive apparatus is the most easily affected; in many cases infertility resulting from STDI is instead attributed to juju curses.

The worst consequences of repeated surgical and pharmacological abortions are uterus perforation, hemorrhages, cervical lacerations, endometritis, pelvic inflammatory disease, chronic abdominal pain.

Other physical damages that were reported include permanent total or partial hearing, visual and mobility impairments (consequence of beatings), respiratory difficulties, liver intoxication, neurological harms, cardiovascular problems²⁶⁶.

The girls' dream of building a "normal" happy and healthy life got destroyed forever.

3.32 Abortion: a free choice?

Among the lies that madams tell the girls, the ones regarding pregnancy are very well studied from a legal point of view, and sometimes particularly cruel, in order not to lose their little slaves.

Girls are told that if they generate a baby before extinguishing the debt, the juju spirit will cause the birth of "a handicapped child". Moreover, they tell them that if they decide to give birth they will be expelled from Italy, whereas the truth goes exactly the other way round: becoming mothers of minors would give them the right to stay until their son's 18th birthday²⁶⁷.

²⁶⁶ Farley, M. (2004) *Bad for the Body, Bad for the Heart*.

²⁶⁷ Source: fieldwork data. See Annex I, Reference nr. 1, Juliet 2015.

Even if some girls would take the chance to escape prostitution by getting pregnant, they are not allowed to do so.

3.32.1 Pharmacological abortion

Abortion practice is universally considered by the girls as a “venial sin”, in comparison with giving out their own baby after birth, for adoption. Abandonment of a minor is therefore the biggest sin they can commit on earth. Incoherently with this belief, Nigerian mothers are able to leave their babies or small children home alone while they are “at work”. In many cases children are used by madams as an additional way to blackmail girls.

Most girls get rid or are beaten in order to get rid of the unwanted pregnancy, unless they resort to homespun dangerous solutions such as ingesting gastroprotective drugs containing an active principle called misoprostol which induces fetal death as a side effect. This medicine, often mixed with alcohol, is sold in Italy by Pfizer under the following commercial names: Cytotec 50 tablets 200 mcg and Misodex 50 tablets 200mcg. In other countries its alternative name is Artrotec and Misofenac.

Another inappropriate abortion-inducing pharmacological system is the combination constituted by cloroquine (an antimalaria drug) and soap, discovered by the Dutch police²⁶⁸.

Italian Police Investigation “SAHEL 2” in L'Aquila officially evidenced the issue of forced abortion in Nigerian human trafficking²⁶⁹.

3.32.2 “Surgical” abortion

Clandestine surgical abortion up to the 5th month of pregnancy can cost up to 2,500 euro.

Evidence of clandestine surgical abortion causing uterine perforation

²⁶⁸ Van Dijk, R. (2001) Voodoo on the doorstep: young Nigerian prostitutes and magic policing in the Netherlands. In *Africa: Journal of the International African Institute*. Vol. 71, No. 4 pp. 558-586.

²⁶⁹ See Antimafia National Board (2012) Annual Report. p. 220.

<http://www.avvisopubblico.it/home/wp-content/uploads/2014/05/DNA_Dicembre-20121.pdf> See Antimafia National Board (2012) Annual Report. p. 220.

<http://www.avvisopubblico.it/home/wp-content/uploads/2014/05/DNA_Dicembre-20121.pdf> [Accessed 18 November 2017].> [Accessed 18 November 2017].

comes from the main Nigerian prostitution hub in Italy: Castelvoturno. A collaborator of madams, a Nigerian 50-year old man known as dr. Friday, uses to provoke the death of the unborn through questionable, unsafe and very painful manipulations. He operates without the girls' consent. None of the girls has ever asked for his intervention. It is the madam who does and forcibly brings them to him²⁷⁰.

3.33 Psychological health: ignored traumas

Prostitution is probably the most psychologically harming "job" in the world. Hazards are unavoidable and consequences are often irreparable. Key informants of this research refer not to be able to manage a normal serene relationship with a partner anymore because of the traumas of prostitution: the gratuity of love becomes difficult to believe and a serene approach to sex as an expression of reciprocal freedom, tenderness, affection and attraction is hardly attained. Sex remains associated with money, abuse, violence, threats, violation of own dignity and freedom. With anything but love.

Psychological health of Nigerian prostituted girls, already heavily hampered by the voodoo induced fear-strategy, gets ulteriorly damaged by the mixed feelings of gratitude (for having brought them out of Africa) and hate (for exploiting them) they feel towards their madam. "Street pimps pride themselves on controlling their victims by psychological manipulation. They claim that prostituted women and children give their money to the pimps because they "love" them"²⁷¹.

The key to survival for girls in the human market called prostitution is to become alienated from their body²⁷². Being Joy in normal life and Pamela

²⁷⁰ Fezza, S. (14 October 2017) Aborti clandestini, scoperto l'ambulatorio-mattatoio per le prostitute nigeriane. <<https://ninofezzacinereporter.blogspot.it/2017/10/aborti-clandestini-scoperto.html>> [accessed 29 November 2017].

²⁷¹ Parker, J. (1998) How Prostitution Works. *Prostitutionresearch.com*. p. 6. Available at <<http://www.prostitutionresearch.com/How%20prostitution%20works.pdf>>. [accessed 1 September 2016].

²⁷² Moran, R. (2017) Stupro a pagamento. La verità sulla prostituzione. Rome: Round Robin.

on the road, forces to split personality²⁷³ and is the only salvation from the unsustainable and dull pain of feeling deeply despicable to oneself²⁷⁴. Creating a distance from the true self and therefore from reality is the only way to keep surviving, though mental insanity can be a likely aftermath.

Self-esteem, already heavily hit by gang rapes in Libya and Italy, gets totally annihilated in prostitution. If any person who has been raped once gets serious consequences (in terms of self-esteem and self-harm) which pervade her entire lifetime, how can we be so superficial in thinking that a sexually exploited girl who has endured this experience for years will not be affected at all because paid rape, in Moran's words, is her "job"? It seems that some people fight to proclaim and defend the "human right" (of others) to desperation. Western double standards, classism, voluntary or unintended blindness and hypocrisy are incredibly puzzling. "Prostitution is a cornerstone and a form of normalization of rape culture"²⁷⁵.

The mental effort to endure a daily exercise of resilience to humiliation, vilification and objectification ends up inducing a self-harming behavior (all the way up to suicide attempts) and self-devaluation thoughts. The comment of a Nigerian girl after the death at sea of 26 "sisters" in November 2017 was: "it is better to die sinking in the sea than on the road".

Psychological illnesses are a major problem as, differently from physical illnesses, they are less easily and less quickly diagnosed.

"Although the physical violence of prostitution is brutal and pervasive, it pales in comparison to the emotional trauma of prostitution"²⁷⁶.

²⁷³ Ekman, Being and Being Bought.

²⁷⁴ Moran, R. (2017) Stupro a pagamento

²⁷⁵ Farley, M. (2013) *Prostitution, Liberalism, and Slavery*. Logos Journal. <<http://logosjournal.com/2013/farley/>> [accessed 1 September 2016].

²⁷⁶ Farley, M. (2005) Prostitution Harms Women Even if Indoors. In *Violence Against Women*. Vol. 11 No. 7, July 2005. pp. 950-964.

Prostitution provokes: mental dissociation, depression, panic attacks, borderline disturbance, schizophrenia, Post Traumatic Stress Disorder (PTSD).

A study conducted by King's College (UK) on victims of human trafficking reports that 80% of women and 40% of men are affected by mental illnesses including PTSD²⁷⁷.

PTSD is a very serious psychological illness, experienced by war veterans and sexually exploited girls alike. Its main 3 macro-symptoms are: intrusive re-experiencing (dreaming of past stressful experience and acting as if they are actually happening), numbing and avoidance (avoiding memories of past stress, feeling cut off from others) and hyperarousal (watchful attitude, feeling irritable)²⁷⁸.

PTSD severity and incidence varies, nevertheless all Nigerian girls part of this study have at least a symptom of it, starting from scaring flashbacks, sleeping disorders and daily nightmares (believed to be "the juju's live presence") to permanent anxiety, depression, loss of interest in life and emotional numbness.

Painful memories of childhood sexual abuses in Nigeria summed to the ones of the forced prostitution experience²⁷⁹, in particular rapes and forced abortions in teenage and adulthood, result in profound interior lacerations.

The mental self-defence mechanism of the split self becomes the easiest solution albeit inducing depersonalization and derealization.

3.34 Ethnopsychiatry

Main Italian NGOs concretely supporting victims of human trafficking (such as Association Papa Giovanni XXIII, On the Road, Gruppo Abele)

²⁷⁷ Oram, S. et al (2016) *Human Trafficking and Health: A Survey of Male and Female Survivors in England*. In American Journal of Public Health, June 2016, Vol 106, No. 6. Available at <<http://ajph.aphapublications.org/doi/pdf/10.2105/AJPH.2016.303095>> [accessed September 2016].

²⁷⁸ Farley, M. and Barkan, H. (1998) Prostitution, Violence and Post-traumatic Stress Disorder. *Women & Health*, Vol. 27 (3) 37-49.

²⁷⁹ Prostitution, apart from sex abuses, entails daily verbal, physical and psychological violence and countless threats.

offer Nigerian girls a specialized service through ethnopsychiatrists.

Ethnopsychiatry has tried to find answers and solutions that take into consideration different ethnic origins and cultural backgrounds. The first ethnopsychiatric hospital was founded by a Nigerian doctor, Thomas Adeoye Lambo, in 1954²⁸⁰. The massive migration wave from Sub-Saharan countries has pushed for the setup of an ethnopsychiatric department in Milan at the Niguarda Hospital, urging Italy not to overlook migrants' mental illnesses. According to the department, one third of all migrants suffer from psychological illnesses because of the torture faced²⁸¹; the percentage raises dramatically in the case of Nigerian trafficked girls.

The case of Nigerian girls is one of the most difficult to deal with, because of the heavy influence of voodoo possession rituals and other superstitious practices²⁸². According to Ortigues, diagnosis are to be formulated on the basis of a different "semiology"²⁸³; perceiving and accessing migrants' sufferings is not an easy task because of the dissimilarities between our and their set of signs, requesting appropriate interpretative strategies.

3.35 Spiritual or Psychiatric Illnesses

Many illnesses that in the West we classify as psychiatric, have a spiritual origin and cure according to Nigerian culture. Whenever we would consult a psychiatrist, Nigerians would consult a native doctor or a pastor, who are the people who have "power". As confirmed by the Italian psychiatrist Rosso, the healer's hands will be placed on the fontanel, located on top of the head, in order to cure the person. Similarly to native doctors, pastors too lay their hands on the sick, often pouring olive oil on the fontanel.

²⁸⁰ Heaton, M. M. (2011) Thomas Adeoye Lambo and the Decolonization of Psychiatry in Nigeria. In Bennett B.M., Hodge J.M. (eds) *Science and Empire. Britain and the World*. London: Palgrave Macmillan pp.275-296.

²⁸¹ Niguarda Hospital (15 April 2015) *Etnopsichiatria. Ospedaleniguarda.it* <<http://www.ospedaleniguarda.it/news/leggi/etnopsichiatria-perche-la-cultura-non-e-vestito>> [accessed 22 November 2017].

²⁸² Beneduce, R. (2007 April, 18) *Migrazione e disagio psichico: le sfide dell'ambivalenza*. *Journal of Psychiatry on Line*. Proceedings of Seminars on Mental Health: Epistemologia e metodologia della cura nelle società multiculturali. <www.psychiatryonline.it/node/3623> [Accessed 22 November 2017].

²⁸³ Ortigues, M. and Edmond Ortigues (1973) *Oedipe Africain*. Paris: Librairie Plon

3.35.1 Ode Ori

Ode Ori is a psychiatric syndrome mostly affecting young and unschooled Nigerian women. This psychosomatic illness consists in the imaginary presence of insects and snakes in the body of the person. These animals, residing in the head of the person, would create buzzes and whirrs causing vertigo, insomnia and migraine²⁸⁴. Only the intervention of a native doctor seems to have the strength to cure the person.

Documents

3.36 Documents or how to be legally exploited

With regard to their Identification Document (ID) the Nigerian girls sexually exploited in the streets of Palermo either:

1. do not hold any ID
2. hold their real Nigerian passport, but this is confiscated by the madam
3. hold a real Nigerian passport, which belongs to a different person, normally another deceased girl (IOM 2006)
4. hold a counterfeited Nigerian passport (changed photo/personal data)
5. hold a fake passport

Moreover, they have different immigration statuses. There are two main groups of girls who:

- 1) have illegal immigration status or
- 2) have legal immigration status. Among those who have a legal immigration status there are groups who:
 - a. hold a temporary residence permit because they requested international protection

²⁸⁴"Etnopsichiatria: The Most Important Psychiatric Syndromes From Other Cultures," Blog of Dr. Valerio Rosso, Psychiatrist, *Valeriososso.com*. <<https://www.valeriososso.com/2017/07/08/etnopsichiatria-sindromi-psichiatriche/>> [accessed 22 November 2017].

b. hold a temporary residence permit because after an initial negative decision was made on their claim for international protection by the Territorial Commission they appealed to the competent Tribunal

c. hold a residence permit for international protection: refugee status (5 years), subsidiary (5 years); or humanitarian protection (2 years).

In order to give a comprehensive outlook on the enormous gap between reality and bureaucracy, it is crucial to highlight the concrete situation of 2 most extreme cases: girls without any document and with illegal immigration status and refugee status holders.

On the one hand, girls not in possession of documents generally escape whenever the police approaches for the fear of being repatriated and hence suffering the deepest humiliation and ostracism when going back to their home country. On the other hand, it is noteworthy that all madams are holders of the refugee status, which they use as a form of power against young girls. As a matter of fact, feeling recognized as "legally resident" and as "vulnerable" (by virtue of international protection) gives the madam a certain safety margin to keep exploiting and threatening to report to the police the illegal / undocumented presence of young girls in the Italian territory. That is how Italy and other European countries, including the most civilized and advanced, protects the undisturbed exploiters. With reference to this last issue, a girl who made her way out of the exploitation ring, reports of still (after 3 years since she left "the road") being remotely threatened by two refugee status holders residing in Sweden.

The madam keeps the psychological control of the girl by many means, including by promising that, once a girl will have paid over half of her debt, she will be rewarded. The reward consists in being accompanied to a lawyer's office to begin the asylum request.

“Women are wolves to other women”²⁸⁷, not only with reference to madams but also to lawyers who make illicit profits on them.

3.38 Documents for sale: hospitality

It would be very interesting to conduct an investigation on “oblivious” apartments’ owners and tenants in the areas of Palermo corresponding to the neighborhoods of Ballaro’/ Main Train Station/ via Roma. Both owners and official tenants systematically refuse to sign the “hospitality paper” documenting that Nigerian girls are living in their apartments.

This paper, constituting one of the requirements for the permit of stay in Italy, is indispensable and cannot be produced by the girls themselves. Moreover, they cannot officially rent any apartment until they hold a permit of stay. This is why girls become liable to be blackmailed.

The official tenants are those who supposedly sign rent contracts (when contracts are in place): they can be either the madam or more often a front man or other secondary stakeholders (of Italian, Nigerian or Ghanaian origin) involved in the trafficking.

Subletting by people who are not part of the trafficking but simply profit from their regular migratory status is also a widespread practice.

Finally, there are Italian lawyers who, taking advantage from the migrants vulnerable situation, sell them the “hospitality paper” always using dummies allowing their names not to appear anywhere. This is what a female lawyer working in Palermo has been doing for a long time.

Control and coercion means

3.39 Coercion means

Girls are kept on a daily basis under physical and psychological threats. If they leave “the road”, the consequences on themselves and on their families will soon arrive. The first one is life threat: a member of their family will be killed or injured in Nigeria as soon as the girl misbehaves, tries to rebel or questions the madam's authority. The life threats

²⁸⁷ See Annabelle's Life story par.1.5.

involving girls' children, left with grandfathers or aunts in Nigeria, are the most convincing.

The strength of coercion lies on the magical belief that the evil spirits will punish the girls who does not respect the oath done in the presence of the witchdoctor.

One of my key informants, willing to leave "the road work" but feeling enchained by her own fear said in tears: "You no dey hear word. I can't escape. There is an oath, I don't want to die"²⁸⁸.

3.40 The telephone or the madam's longa manus

The telephone is never the girls' property, at least until debt extinction. It is a means to monitor girls movements through GPS, the phone numbers they call and the messages they send and receive. Their whatsapp profile photos shows evidence of the aforementioned affirmation: not infrequently there are images of boys/men or older women. The Police of Torino has recently discovered that girls' earnings and clients are controlled through an app downloaded on smartphones²⁸⁹.

Most of the time during working hours girls keep their mobile phone in their hands. They are not speaking but a call is often ongoing: this behavior is maintained in several circumstances in order to listen to conversations and keep control on the girls and on the people they are meeting. In particular calls are ongoing during negotiations with the customer (to let the person on the other side of the call listen to the agreed price and check the proceeds), medical examinations, meetings with the Mobile Outreach Unit.

Lyca is the telephone company (headquartered in London) used by 99% of

²⁸⁸ Source: fieldwork data. See Annex I, Reference nr. 1, Juliet 2015 Statement by Juliet, 21 years old, on 12 February 2015 at the doctor's office - Ambulatorio Salute Materna in Palermo.

²⁸⁹ See Repubblica (26 September 2016) Un'app per controllare I guadagni delle prostitute. *Repubblica.it* <http://torino.repubblica.it/cronaca/2016/09/26/news/torino_un_app_per_controllare_i_guadagni_delle_prostitute-148535913/> [accessed 22 November 2017] and Cavanese News (26 September 2016) Volpiano: la banda degli albanesi usava un'App per controllare droga e prostitute. *Cavanesenews.it* <<http://canavesenews.it/news/volpiano-la-banda-degli-albanesi-usava-unapp-per-controllare-droga-e-prostitute-dieci-in-manette/>> [accessed 22 November 2017].

the girls²⁹⁰. There are many reasons for this choice.

Firstly and most importantly, it is the only company in Italy which *de facto* allows for the anonymous sale of SIM cards. In theory, contrary to other countries' regulations (such as the UK for instance), nobody in Italy is allowed to buy a SIM card and therefore have a phone number unless he/she shows identification documents. Thus, girls not holding an ID should not be entitled to have a phone number. In reality all of them do. The explanation dwells in the fact that each person can register by his/her name up to a number of sim cards depending on the operator (TIM up to 7, Wind 10, Vodafone no declared limit, H3G up to 6, etc). The Nigerian criminal network has already found a number of solutions in order not to have madams' or collaborators' names appearing anywhere and not to raise any suspect:

1. contracting an Italian dummy to officially register some sim cards in his name,
2. online buying from Italian people illegally (but in the light of day and shamefully) selling them,
3. buying them, like any other respectable customer would do, in via Maqueda or Ballarò directly from a (probably Bengali) shopkeeper who will not ask for any document as he has already registered the maximum possible number of sim cards by using the documents of customers oblivious to everything.

The third and last option is of course the easiest and most practiced, besides having personally verified it when I have been offered to buy a sim card this way. Further proof of the practicability of this option is given by a journalist of the Italian magazine Panorama who has managed to buy 500 sim cards whose registered name was unknown²⁹¹.

²⁹⁰ The widespread use of Lyca simcards resulting from fieldwork data was confirmed by several judgements on HTSE involving Nigerian criminals such as: DDA Detention without charge Decision (2015) Case EGWUY O Peter and EDOS Osas. Proc. nr.18496/2015 DDA. Tribunal of Palermo, Italy.

²⁹¹ Panorama (2009) Telephone Frauds: I bought 500 Sim Cards. *Panorama.it* <<http://archivio.panorama.it/italia/Truffe-telefoniche-Cosi-ho-comprato-500-sim-Sono-vostre>> [accessed 22

Most probably it is therefore easier for some reason to elude more accurate controls choosing Lyca than any other existing telephone operator.

As we can see the "satellite industries" of exploitation of girls is particularly flourishing and indirectly benefit from the prostitution business. However, the answer to the question "why do you use Lyca?" is always "because of low-cost international calls" (which undoubtedly is also true).

Again, reality and law move away from each other and the conclusion is that nobody can be held accountable for the outcome as everybody is focusing on his own profit.

3.41 Truth depends on context

"To be a child of the Third World is to be aware of the many different constituencies you have and how honesty and truth must always depend on context."²⁹²

Girls are told many lies in order to keep them loyal to the payment of the debt. Among the most widespread lies circulating in the Nigerian girls' community, we have the following.

- 1) If you get pregnant they will repatriate you

This lie has the purpose to avoid that the girl changes type of life, leaving prostitution and having a permit of stay, as guaranteed by Italian laws in the quality of mother of a minor

- 2) If you go to the police or don't escape when they ask you for documents, they will repatriate you. Police are corrupt and bad people

Keeping the girls far from police is a crucial issue for traffickers. They would be in real danger if any of the girls filed a report against them. Making a parallel with the Nigerian police, known as being one of the most corrupt in the world, they insinuate in the girls' mind mistrust towards

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²⁹² Adichie, Americanah.

Italian enforcing authorities, who might help the girl out of the racket and punish the traffickers

3) Minors are repatriated or prevented from working

Italian laws states exactly the opposite: minors cannot be expelled from the country by any means. They are entitled to the right to be protected as well as all to the rights enunciated in the UN Convention on Children.

4) Minors are prevented from working

According to Italian law it is possible to work since the age of 16.

5) If they revealed the names of traffickers the voodoo spirit will make them or one of their relatives die or get mad or ill

3.42 Punishments

Several forms of punishment are commonly used by madam for misbehavior of their "human property". The most frequent "soft" penalty for a light mistake is a fine to be added to the debt: this can range from 500 up to thousands euro. Other times, the price to be paid is in terms of harassment, food deprivation or working hours increase. An average mistake such as disobedience or money-hiding is punished with rape. Depending on the entity of the offense, the girl is raped either by the madam's husband/companion/boyfriend or by a group of black men. A serious mistake such as rebellion or betrayal is Criminalized with severe beating, mutilation (eye/nail/hair/tooth rip), aggressions with broken glass bottles which procure deep cuts.

A "bucha" or bully is often in charge of punishing major rules infringements.

Final Exploiters

3.43 The final exploiter: eyes without a face

"Prostitution should be defined according to what it primarily is, namely about men's sexuality, not women's"²⁹³.

²⁹³ Månsson, S. (2017) History and rationale of Swedish prostitution policies. In Dignity: A Journal of Sexual Exploitation and Violence. Vol. 2. Issue 4. Article 1. p.13.

A deeper reflection and wider research is needed to examine the constitutive elements of prostitution:

- 1) It is to the greatest extent a male practice²⁹⁴
- 2) Without violence exerted through money it would not exist (and therefore it is the result of a disproportionate and growing gap between rich and poor and of a violent society)
- 3) Without power imbalance (man vs woman, adult vs teenager, anonymous vs public person, citizen vs migrant, diversion vs desperation, self-confident vs vulnerable, socially integrated vs socially isolated) it would not be possible. Until power imbalance is in place it is against our intelligence to call prostitution an act of two "consentient adults".
- 4) Freedom, dignity and humanity are lost in favor of coercion, objectification and depersonalization
- 5) Its recent outgrowth, supported by the porn industry at world level, lies in the ideology that hedonism is the best temporary refuge against inner pain and life vacuum. However, creating pain (in others) in order to escape pain (our own) has never produced durable happiness to anyone hitherto.
- 6) Human poverty (the buyer) and material poverty (the bought) meet. This meeting harm both the dignity of the victim and of the exploiter beside turning on a warning light on the contemporary crisis of relationships.

Before analyzing the phenomenon of the final exploiters, labelled as johns, sex buyers, rapers²⁹⁵, punters, or even "clients" (if we normalize the

²⁹⁴ Because of the extremely negligible number of final exploiters who are women or transgender this research will focus on men, representing the widest sex buyers 'category. Likewise, it is recognized that prostitution is mostly a women's experience. The purpose of this investigation is to face the macroscopic phenomenon of prostitution which, at world level, mostly regards young girls as merchandise and men as buyers.

²⁹⁵ Moran, Stupro a pagamento. La verità sulla prostituzione.

concept of trade in human beings presenting it as a commercial transaction like any other) it must be highlighted that most men (70% in the case of Italy²⁹⁶) have not tried and will never try to violate a young girl's dignity in the name of money. This data is comforting and helps us delimit the space of action of "wealthy rapers" and identify their characteristics, attitude, and, in frequent cases, mental illnesses.

Addiction, according to the American Society of Addiction Medicine is "a primary, chronic disease of brain reward, motivation, memory, and related circuitry"²⁹⁷. In the range of sex-related mental illnesses we do not find only satyriasis or sex addiction but also pedophilia, a psychiatric disorder which does not seem to be confined to street prostitution. Sweden has set up a public service to psychologically support men (sex buyers) who suffer from any of these illnesses and resort to prostitution widening their problem instead of understanding the genesis of it and solving it.

Final exploiters in Italy constitute 30% of the male population: 9 million people, according to 2016 data provided by Associazione Papa Giovanni XXIII. It is an immense number if we consider that Italy's overall population is around 60 million and we exclude 30 million of women as well as a number of male children. Substantially, it means than one in three men in Italy has been or is still a young girl's final exploiter.

The size of the exploitation phenomenon is demand-driven. Therefore, since we registered a peak in arrivals of mostly underage Nigerian girls in 2016, that would mean that demand has raised accordingly.

Final exploiters, or sex buyers, have been classified according to different human typologies: maniacs, saviors, habitues, patrons, punitive, compulsive. Their age range from 14 up to 70. The education variable is unimportant: ignorant as well as knowledgeable men request the girls'

²⁹⁶ The most widely accepted statistics, formulated by the NGO APG23 which liberated 7000 victims of HTSE, estimated a number of 9 million clients, accounting for 30% of the whole Italian male population. Therefore, 70% of Italian men are not and have not been clients. See APG23, I numeri della tratta in Italia.

²⁹⁷ American Society of Addiction Medicine (2011) Definition of Addiction.
<<https://www.asam.org/resources/definition-of-addiction>> [accessed 22 November 2017]

and even more the teenagers' services. Analogously, marital status is irrelevant: married as well as single, divorced, widowers, and surprisingly also fathers, are found among the final exploiters²⁹⁸.

Sometimes, final exploiters search for the girls' services in groups (school teenagers, friends, and even father and son) putting the prostituted in potentially dangerous situations. Most of the final exploiters go alone and keep in high consideration their right to privacy.

This "right", which is part of the power imbalance mentioned earlier, seems to be taken very seriously by the countries where prostitution is regulated: the prostituted must give their name and ensure they are in good health, whereas final exploiters can simply remain eyes without a face. Which is, in the end, what they are. The triumph of dehumanization.

3.44 Taxi drivers & "papagiros"

Girls arrive at their workplace either by bus, accompanied by a senior sister or by car. In this second case, they are often driven by a white man who is paid by the traffickers in money or in kind (free sex with the girls). There is also a number of "papagiros"²⁹⁹, men who just like to spend time with the girls and are often old and uneducated. In Palermo the taxi service is offered by several old men, one of whom is a public employee of the Municipality of Palermo whose personal details were unabashedly displayed on his badge.

Outputs of prostitution

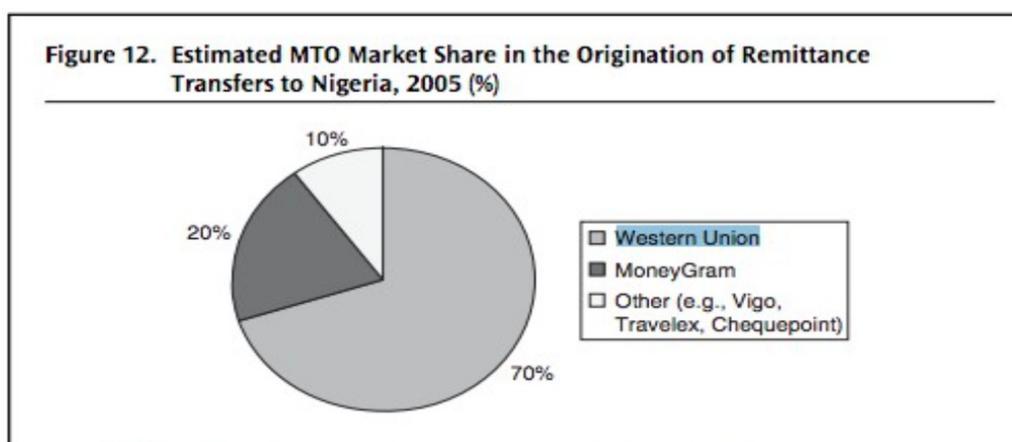
3.45 In Nigeria: remittances and real estate speculation

"Follow the money and you will find the mafia": this affirmation by Giovanni Falcone, heroic judge killed by mafia in Sicily in 1992, is truthful also when applied to the sexual exploitation case.

²⁹⁸ Macaluso, T. (2015) *Prostituzione e tratta tra Nigeria e Italia*. Master's thesis. Palermo: University of Palermo. pp. 26-28.

²⁹⁹ From the Italian words: "papà", father, older man and "giro", going for a ride. A more detailed description of "papagiro" is given by Salvatore Di Paolo, former Italian judge, who, after deep investigations, concludes that Nigerians are not prostitutes. See Di Paolo, S. (2016) *Viva le "Puttane" Nigeriane*. Createspace Independent Publisher.

More accurate investigations on the money transfer methods could more easily lead to the identification of key human trafficking stakeholders. Money is transferred to Nigeria, from Italy as well as from other European countries, mainly by Western Union and similar instruments which are less monitored by public authorities in comparison with bank accounts. The 1st Bank of Nigeria appears to have an exclusive contract with Western Union for money transfer³⁰⁰.



Source: World Bank BRCA Team interviews with commercial banks and MTOs.

Illustration 31: Remittances Transfers to Nigeria: Western Union

“Experts estimate that undocumented transactions via informal channels are, in fact, well above officially documented figures. Informal methods of transferring money differ from country to country. In addition to the personal transport of funds, money can be sent through the mail or via a third party”³⁰¹.

Another means by which money is transferred from Italy to Nigeria is the post. According to the official national statistics bureau of Nigeria, revenues received in the Oredo area (LGA to which Benin City belongs) from the Nigerian postal services override all the other areas of the same LGA by over 1,000% (173 million compared to 75 thousand naira).

³⁰⁰ Hernández-Coss, R. and Chinyere Egwuagu Bun (2007) *The UK-Nigeria Remittance Corridor: Challenges of Embracing Formal Transfer Systems in a Dual Financial Environment*. Washington: The World Bank. p.44. <http://siteresources.worldbank.org/EXTAML/Resources/396511-1146581427871/UK-Nigeria_Remittance_Corridor.pdf> [accessed 22 November 2017].

³⁰¹ Hertlein, S. (2006). *What does the term remittance mean?*. German Federal Agency for Civic Education. <<http://www.bpb.de/gesellschaft/migration/kurzdoessiers/58142/the-term-remittance>> [accessed 22 November 2017].

Cash plays a major role as customers provide girls with banknotes. Ballarò and via Maqueda are the two areas of Palermo mostly filled with money-sending businesses. They are the same shops, managed by Asian migrants, selling Lyca sim cards to girls. It is not at all rare to chance upon Nigerian men and above all young adult women roaming around these areas and carrying plastic bags filled with 20-euro banknotes. Given that twenty euro is the average price of the girls' sexual services, the origin of this money can be guessed.

It is not a surprise to enter any of these shops and find a senior black woman or a young black guy sending money "home".

These huge remittances, sent to the African country hosting Biafra, a sadly far-famed area of Nigeria associated with hunger-dying people, cannot pass unobserved. Wealth ostentation shamelessly reigns in Benin City. The passage from huts to newly built western style "castles" strikes the visitor and advertise prostitution as a profitable activity among the locals. Besides new houses with gardens, new roads have been built and the set up of new public services were requested (water, electricity) in the recently built areas.

3.46 In Italy: money laundering in legal businesses

Whereas huge parts of the illegal earnings from sexual exploitation are sent to Nigeria, other portions, besides the amounts wasted in unnecessary status symbol goods, are re-invested on the national territory in legal businesses such as African food stores, internet points and money transfers agencies. Money laundering is of primary importance given the enormous quantity of cash managed by traffickers.

D. CONCERNS

3.47 Madam: possible indicators

Though IOM has described a number of indicators to identify victims or potential victims of trafficking, there are no official indicators helping identifying madams. Localizing them has become harder since they

realized that there is a way to remotely control girls without living in the same house with them. The fear of being easily discovered by the enforcing authorities lead them in many cases to live in other cities (Turin has been repeatedly reported as home residence by both Nigerians exploited in Italy, Spain and Denmark) and sometimes EU countries and traveling to far away towns on a monthly basis to collect from girls their earnings in cash, making it really arduous for the police to trace these transactions and localize these women.

A possible combination of one or more of these indicators might help identifying madams:

1. a legal immigration status in the country: holders of refugee or other international protection statuses
2. in many cases married or living with a man
3. age: they are usually over 25 and more often over 30
4. they speak fluent Italian
5. they have been victims of trafficking themselves in many cases
6. they manage a huge quantity of cash
7. they travel back and forth to Nigeria from Italy with a frequency which is not justifiable by their official income (monthly or every 2 months)
8. they often hold regular rent contracts
9. they often manage African shops selling fried rice or wigs, or own hairdressers' salons
10. they live in Nigerian-ghetto areas (i.e. Ballarò in Palermo)
11. a number of them attend Nigerian pentecostal churches
12. they often live in Torino and conduct a life beyond suspicion
13. they come from Benin City or more in general from the Edo State

3.48 Socio-spatial exclusion

Socio-spatial exclusion is one of the main features of capitalist urban areas. Analyzing the role of space in the sexual exploitation experience

can be an interesting and challenging exercise: the places where girls live, where they work, where their presence is perceived as undesired. Exclusionary practices are very common in Palermo, a city which has become depopulated because of the lack of jobs caused in turn by the rooted and chronic clientelism, crosscutting and omnipresent prerogative of the Italian and even more Sicilian public sector.

Albeit its popularity as an inclusive territory, as all capitalist urban areas, Palermo turns a blind eye at places like Favorita, the most crossed park of the city where the biggest group of Nigerian prostituted girls is deployed by the traffickers. Their presence cannot go unnoticed. Nevertheless, apart from the sex-addicts, all others, men and women alike, choose to distance themselves from these girls and not to ask themselves too many questions. Marginalization and exclusion along with social class discrimination, first start in our minds and then pass on to physical areas.

3.49 Second hand market

Meeting with a number of Nigerian girls at the Anti-Trafficking center based in Copenhagen gave me new information on the prostitution "second-hand market". All of these Nigerians speak a comprehensible Italian, were exploited for a number of years in our country, have a permit of stay

The first hand European market is undoubtedly Italy. Not only because it is the country of arrival. Most migrants of nationalities other than Nigerian do not consider Italy as a destination but as a transit country. Even among migrants it is well-known that the high level of unemployment and bureaucratic complexity in Italy would push away anyone willing to open a legal business in the country (including Italian nationals unfortunately). In the Nigerian case, instead, Italy is the destination country because of its high level of impunity and lack of territorial control by the Statal authorities.

The youngest Nigerian girls' destination, in particular, is always Italy. This

is because of the growing demand of Italian men for adolescent Nigerians and because of the lack of a proper age assessment by the authorities. After having being exploited in Italy for some years, reached an older age, they travel to northern Europe, particularly to Germany, Holland, Denmark and Norway where age assessment is more severe than in Italy and where prostitution is legalized (in the case of Germany and Holland). That is the second-hand market.

Those older girls who did not manage to pay the debt are sent to northern European countries

3.50 Women and sex exploitation

Surely, it is prostitution that pushes sex trafficking³⁰².

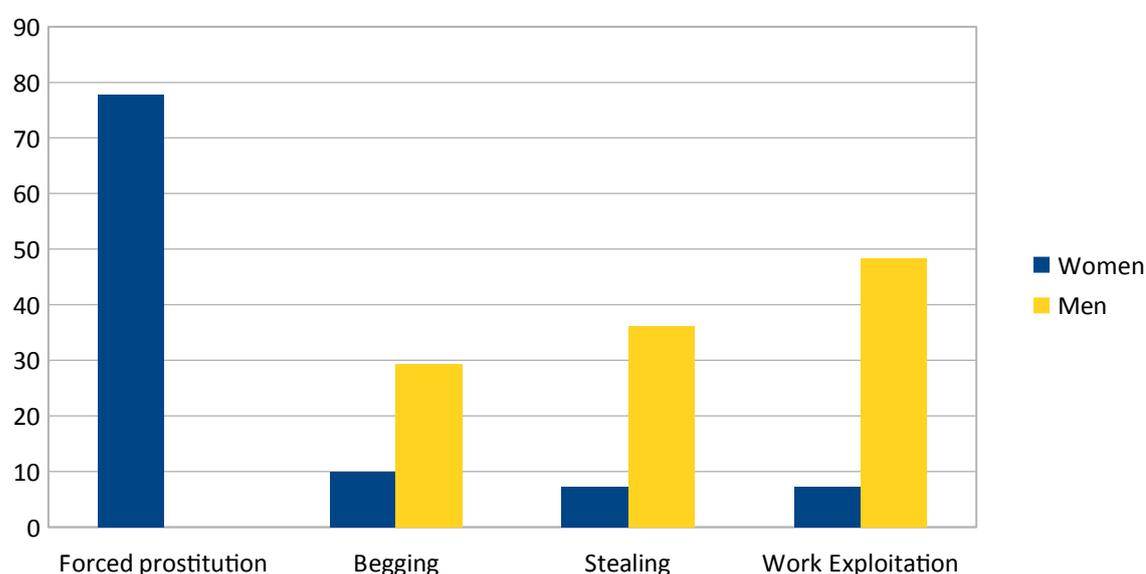


Illustration 32: Exploitation by type- Source: Ministry of Justice

Sexually exploited women account for 77,7%³⁰³ of all the women trafficked in Italy. *Ob torto collo* they are coerced by physical and sexual violence in 3 out of 4 cases³⁰⁴. A limited number of them are forced in

³⁰² Moran, Stupro a pagamento. La verità sulla prostituzione.

³⁰³ Ministry of Justice. (2015) La tratta degli esseri umani. p.8. <<https://webstat.giustizia.it/Analisi%20e%20ricerche/Rapporto%20DgStat%20sulla%20tratta%20degli%20esseri%20umani.pdf>>

³⁰⁴ Ibidem.

other activities, *in primis* begging (10%), then stealing,(7,3%) and work exploitation (7,3%). As a matter of comparison, we can observe how the most frequent exploitation type for men is instead work exploitation (48,3%), then stealing (36,2%) and finally begging (29,3%).

It cannot go unnoticed that the most life endangering activity of all belongs to women and not to men. The level of "victimhood", then, as one of the "feminist" lobbies indirectly often affirms, would seem higher in the case of "unfortunate" men. Do these men exercise their "agency"? If women in sexual exploitation, according to a feminist lobby, do exercise it, men should be able to exercise it even more, having by default a much stronger command on their lives. Why would these men therefore need a feminists' lobby efforts to rescue them from exploitation whereas the women wouldn't? Should men be considered a bunch of criminals given that 36% of them steal with a full "agency"? Open questions.

3.51 Prostitution: the oldest profession of the world? a necessary evil?

Today's edulcorated imagery about the "oldest profession of the world" neglects what prostitution was like in ancient times. The researches conducted in the ruins of Pompei (Italy), and whose results were published in 2009, by the archeologist Pietro Giovanni Guzzo³⁰⁵ dispelled the contemporary construction of the myth of prostitution in ancient Roman civilization. It has been possible to collect several evidences in Pompei's *lupanares* which include a list of people in a declared servile status. The "oldest profession of the world" therefore is historically interconnected with the oldest instinct of subjugation of others: slavery. Whether slaves are really needed or not, it does not matter. The feeling of power derivating from possessing them is what some men thirst for.

In the range of subjugative acts we find all kinds of physical and

³⁰⁵ Guzzo, G. (2009) *Ex corpore lucrum facere: La prostituzione nell'antica Pompei*. Studi Della Soprintendenza Archeologica Di Pompei. Roma: L'Erma di Bretschneider.

psychological, individual and collective, legal and institutional, cultural and media violence. None of these acts has been totally eliminated from the face of the earth, but that does not make them legitimate. There is nothing new under the sun. Homicide is probably the oldest and continuously repeated act since the beginning of the world: has reiteration of homicides in history normalized the act of killing as something inevitable and justifiable as an ineluctable consequence of human instinct? If not, we should wonder why some lobbies take this excuse to justify prostitution (of others) presenting it as something reiterated in history and thus inevitable?

The designer of the current Italian prostitution law, Sen. Angelina Merlin, affirmed in 1958 that

“It's a sad reality that gives everyone the chance to solve his problem, under his personal responsibility. And if some regular brothel's client was forced to do penance, be sure that because of continence no one has ever died, whereas because of starvation people die”³⁰⁶.

A caprice transformed into a need, in turn transformed into a right³⁰⁷: the XXIst century is bordering on the absurd. It seems humiliating for men to further deepen this topic: it would mean assigning them animal features and lowering their level of humanity, dignity and intelligence.

Hence, inevitability and reiteration in history of the phenomenon of prostitution appear two weak arguments in support of the right of men to use women.

3.52 Agency, choice and consent

The concepts of agency, choice and consent are an object of debate and reflection and this research does not aim at discussing them from a philosophical point of view. Nevertheless, I wish to offer my argumentation to support the idea, based on the results of my fieldwork, that a clear informed consent to prostitution, which implies full awareness

³⁰⁶ See transcript of the speech by Senator Lina Merlin delivered in Milan on Friday 19 September 1958. *La Chiusura Delle “CASE” – Lina Merlin*. Amicidilazzaro.it <<http://www.amicidilazzaro.it/index.php/la-chiusura-delle-case-lina-merlin/>> [accessed 19 December 2017].

³⁰⁷ Ekman, Being and being bought.

of consequences and the possibility to choose among other valid economic alternatives, can be extremely hard to reach and can regard, as *de facto* regards according to the data, a tiny percentage of people in prostitution. UNODC argues that type and severity of exploitation are relevant to the consideration of consent³⁰⁸ and that consent itself can be vitiated by the Abuse of a Position Of Vulnerability (APOV).

With respect to the link between prostitution and migration my question is also whether privileged migrants (the so-called expats) and non-privileged migrants (prostituted women) can exercise the same level of agency. It could be useful to explore whether the second group's level of agency can be measured in order to consider different agency solidness and evaluate agency erosion factors.

A writer and prostitution survivor, Rachel Moran, with the authority and credibility that only an insider can have, clarifies once for ever all the smoky and Byzantine syllogisms on choice and consent, labeled as "erroneous concepts". She excludes the possibility of true consent stressing the huge difference between consent and reluctant submission to circumstances beyond the woman's control³⁰⁹.

Consent is not seen as a "meaningful concept" by MacKinnon who identifies two elements, fear and despair, triggering acquiescence rather than consent³¹⁰.

Ekman confirms and reinforces: "Money may get the buyer's "consent" and even fake appreciation during the act, but it only highlights the fact that the other party has sex even though s/he does not really want to"³¹¹.

Kempadoo points out that sexual agency is the result of "colonialism, recolonizations, and cultural imperialism as well as specific local cultural histories and traditions" and that sex trade can't be merely understood as

³⁰⁸ UNODC (2014) The Role Of 'CONSENT' In The Trafficking In Persons Protocol. Vienna: UNODC, p. 85.
< https://www.unodc.org/documents/human-trafficking/2014/UNODC_2014_Issue_Paper_Consent.pdf >
[accessed 19 December 2017].

³⁰⁹ Moran, Stupro a pagamento.

³¹⁰ MacKinnon, C. (2007) Women's Lives, Men's Laws Cambridge, MA: Harvard University Press. p.260.

³¹¹ Ekman, Being and being bought, p. ix.

violence towards women³¹².

MacKinnon describes the term agency as an invention of sex work academic advocates, a “slippery piece of jargon that no one seems to think they have to define”³¹³. The term is associated with free choice, empowerment, decision among life choices, resistance against moral stereotypes.

A 2014 study of the EU Parliament confirms what Barry and the Scelles Foundation affirm: over 90% of the prostitutes depend on a pimp and therefore the women's will is coerced³¹⁴. Nomas (National Organization for Men Against Sexism) admits that “there are undoubtedly at least some women who do have other life options, but still choose to engage in prostitution (we estimate there are between 100 – 300 women in this category, today in the United States.) Public policy and laws however should not be based on these situations, because they are highly atypical of the horrific, non-consensual ordeals of the huge majority of women, girls, and boys being used in prostitution”³¹⁵.

Moreover, entry into prostitution happens in most cases when girls are still children or underage, therefore it becomes really difficult to discern how informed is their choice and how defective can be considered their consent once they become adults and had no opportunity to access other life options.

In the sex work discourse, brought about by the supporters of prostitution as a job where agency, consent and choice would be protagonist, the big

³¹² Kempadoo, *Women of Color and the Global Sex Trade*, p. 28.

³¹³ Catherine MacKinnon professor at Harvard Law School is also a lawyer and an activist focusing on gender equality and sex discrimination and abuse. She authored many articles and books among which “Only Words” where she addresses legalized discriminatory practices hampering gender equality. MacKinnon, C. (2011) *Trafficking, Prostitution and Inequality*. In *Harvard Civil Rights - Civil Liberties Law Review* vol. 46 p. 273.

<<http://harvardcrcl.org/wp-content/uploads/2009/06/MacKinnon.pdf>> [accessed 22 November 2017].

³¹⁴ See EU Parliament. (2014) *Sexual exploitation and prostitution and its impact on gender equality*. Brussels: EU. Available at <[http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET\(2014\)493040_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET(2014)493040_EN.pdf)> [Accessed 21 June 2017].

Barry, K. (1996) *The prostitution of sexuality*. New York: New York University Press.

Fondation Scelles (2016) *Prostitution. Fourth Global Report*. Paris: Fondation Scelles.

³¹⁵ Brannon, R. “Does Consensual Prostitution Exist?” *Nomas-App*, 2017 <<http://nomas.org/does-consensual-prostitution-exist/>> [accessed 17 December 2017].

absents is freedom. There cannot be freedom if there is no alternative option. Farley reports that “eighty-nine percent [of people in prostitution interviewed] told the researchers that they wanted to leave prostitution but did not have other options for economic survival. To normalize prostitution as a reasonable job choice for poor women makes invisible their strong desire to escape prostitution”³¹⁶.

How can a person be deemed free when he/she has no alternatives? If a person is coerced by others or even only by poverty how can her choices be considered free? How can we speak about agency when most prostituted enter the system when they are children?

EU Directive 2011/36 of the European Parliament and of the Council gives clear indication about children's consent: “when a child is concerned, no possible consent should ever be considered valid.” Therefore, not only children *per se* but also adults who entered prostitution when they were minors should not be legally attributed any free consent. A child is made to enter prostitution by adults who exploit him/her and if he/she remains in the circuit it is because he/she does not have any other option, as in the case of Favour, sent to Benin City's brothels at the age of 8 by her mother. A question she posed to me once was: “What else can I do? I am not good in anything, I can't read and write”³¹⁷.

According to MacKinnon, the worst infringement and betrayal of sisterhood is not committed by women selling other women to men, but by those who, not having been part of the sex industry, defend pimps by academic means³¹⁸.

According to Aghatise “consent” in prostitution is not possible “because no woman has ever “chosen” to be a prostitute where she has had valid alternatives to prostitution. There are various studies, which show this

³¹⁶ Farley, M. (2004) Bad for the Body, Bad for the Heart”: Prostitution Harms Women Even if Legalized or Decriminalized. In VIOLENCE AGAINST WOMEN, Vol. 10 No. 10, October 2004 1087-1125, p. 1095. Available at <<http://www.prostitutionresearch.com/Farley%20Bad%20for%20the%20Body%2C%20Bad%20for%20the%20Heart.pdf>> [accessed 9 July 2017].

³¹⁷ Source: fieldwork data. See Annex I, References nr. 7 and 8, Favour 2016.

³¹⁸ MacKinnon, Trafficking, Prostitution and Inequality, p. 273.

often unmentioned fact”³¹⁹.

With regard to adults' consent the same EU Directive (2011/36/EU) provides useful guidance. Consent to the exploitation is deemed irrelevant in presence of threat, coercion, deception, abuse of power or of a position of vulnerability, payments or benefits to achieve it.

As Trujillo points out “indeed, not all man's actions are human actions. The latter are only those that are performed freely and deliberately, that is to say in full awareness of the terms of the choice and its consequences³²⁰”.

3.53 Definition of exploitation

The lack of agreement on the definition of exploitation in international law lead to the formulation of uncertain international legal standards based on still unclear, wavering and subjective concepts, varying diachronically and diatopically across different cultures.

Exploitation, in its kaleidoscopic meanings, can regard things/resources (possibility of a margin of positive connotation) or people (negative connotation). When related to people, its negative connotation is constituted by an unfair advantage and an imbalanced power relationship. Injustice is therefore the result of a relationship and of a (dis)advantage.

As UNODC points out international law has neither yet defined exploitation of the prostitution of others nor sexual exploitation³²¹, leaving broad space to the States' interpretation which, in some cases included commercial surrogacy and forced marriage. It also stresses how the States' stance on prostitution has a lot to do with the way sexual exploitation is dealt with.

The general main key findings of UNODC are that:

-exploitation is not well or homogeneously understood

³¹⁹ Aghatise, Trafficking for prostitution in Italy: concept paper, p.3.

³²⁰ Trujillo, Human rights are not ours but others, p.97.

³²¹ UNODC (2015) The Concept Of ‘EXPLOITATION’ In The Trafficking In Persons Protocol. Vienna: UNODC, p. 9. Available at <https://www.unodc.org/documents/congress/background-information/Human_Trafficking/UNODC_2015_Issue_Paper_Exploitation.pdf>. [accessed 10 August 2017].

-severity of the exploitation, of the means used, and the degree of harm caused to the victim are to be considered

-national cultural contexts are major determinants of the normalization of exploitation³²².

UNODC, in its Model Law against Trafficking in Persons elaborated to support States in implementing international obligations into national legislations, defines exploitation of prostitution of others as "the unlawful obtaining of financial or other material benefit from the prostitution of another person"³²³. The term "unlawful", though, connects to the national legal systems which differ very much from one another. The Model Law recalls the concept of human dignity when it correlates exploitation with "conditions of work inconsistent with human dignity"³²⁴.

In the context of UN personnel abuses, the United Nations has made an effort defining sexual exploitation as "any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another."³²⁵

The UN Office of Internal Oversight Services, in reference to misconduct of UN staff, equates "engaging in sex with prostitutes" with sexual exploitation³²⁶.

UNODC Model Law proposes a definition of sexual exploitation as "the obtaining of financial or other benefits through the involvement of another person in prostitution, sexual servitude or other kinds of sexual services, including pornographic acts or the production of pornographic materials" (Art.5s).

Moreover A full and equal enjoyment of human rights is still way too

³²² Ivi, p. 12.

³²³ UNODC (2009) Model Law against Trafficking in Persons. UN Sales No. E.09.V.11. Art. 5h. p. 13.

³²⁴ Ivi ,Art.8 p. 28.

³²⁵ UN (9 October 2003) Special Measures for protection from sexual exploitation and abuse. UN Doc. ST/SGB/2003/13, Section 1. Secretary-General's Bulletin.

³²⁶ UN Office of Internal Oversight Services (2008) Frequently Asked Questions. Cited in Gallagher (2012) The International Law Of Human Trafficking. New York: Cambridge University Press. p.39 (footnote 118).

far, though a lot of progress has been made at global level.

3.54 Prostitution (of others)

Statistics of the phenomenon of prostitution and its very wide intersection with trafficking bear very practical implications that cannot be overlooked.

Those who attach a “free choice” and “agency” to prostitution refer to an extremely small number: according to Scelles Foundation 90% of prostitutes are dependent on a pimp and 80% are 13-35 years old whereas according to Tampep 90% of prostitutes in Italy are migrants³²⁷.

Deconstructing the phenomenon, ignoring the concrete implications in the name of rhetorics detached from the real world³²⁸, has led to a disincarnation of rights, which have become, as always in human history, a privilege of the rich. The gentrification of the debate on prostitution has contributed to the creation of more and more unbridgeable mental distance from the prostituted, up to the point of reducing this complex phenomenon to a refined conflict among scholars engaged in coining concepts (such as agency, victimization, sexual services) able to justify dehumanized stances on the rights of others.

3.55 Sexual Slavery

Sexual slavery of Nigerian children and women is a crime against humanity as it entails: enslavement (art. 1c of the ICC Statute), imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law (art. 1e), torture (art. 1f), rape (art. 1g), enforced prostitution (art. 1g), forced pregnancy (art. 1g), forced abortion (art. 1g), inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health (art. 1k)³²⁹.

³²⁷ Tampep (2009) *Sex work in Europe: a mapping of the prostitution scene in 25 European countries*. Amsterdam: Tampep International Foundation. p.25

Tampep observes that the percentage of migrant “sex workers” increased in both Italy and Spain between 2006 and 2008 (from 80 to 90% in Italy and from 70 to 90% in Spain).

³²⁸ MacKinnon, *Trafficking, prostitution and inequality*.

³²⁹ International Criminal Court (2011) *Rome Statute of the International Criminal Court*. The Hague: ICC. Under the umbrella of Article 7 (Crimes Against Humanity) we find Art. 7.1.g mentioning “any other form of sexual violence of comparable gravity” to which the UN assimilates forced abortion. See UN (2017) 8th

3.56 Dignity: the UN & the EU

In the light of the Universal Declaration of Human Rights (1948) it is possible to highlight the gross and repeated violations of the Nigerian migrant girls' human rights. Foremost, it is noteworthy that the word "dignity" is the first one appearing at the very beginning of the preamble proclaiming the "recognition of the inherent dignity" and the "equal and inalienable rights of all members of the human family".

If we start by analyzing the first three terms, we will already have the solution to the girls' exploitation issue: recognition, inherent, dignity. Recognition is the battlefield: it indicates that there is a need not so much to identify a new idea or concept (*Latin cognoscere*) but to confirm the existence of something we already know (*Latin re-cognoscere*). The meaning of inherent, which some interpretations could consider controversial, is simply "to be attached, adherent" (*inhaerentem*). Inherent is something that can't be detached. Then, the locution "inherent dignity" refers to the impossibility to detach a person from his/her dignity, given that it is his/her natural ontological endowment.

Saying that one can sell her "sex" without automatically selling her dignity and therefore herself might be seen as a simplistic and unrealistic approximation as properly outlined by Farley, Ekman and other international literature on the subject.

The keyword, dignity, is hardly defined in jurisprudence as it is in philosophy and ethics. The Italian Constitutional jurisprudence lacks a precise definition, provided instead by the German Basic Law clearly stating that dignity is "inviolable" (Art 1)³³⁰.

One year after the UN Declaration, the binding UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the

Annual Report of the Secretary-General on Conflict-Related Sexual Violence.

³³⁰ Though formally exemplary, Germany is not exempt from striking contradictions regarding the use of the word dignity, especially in its prostitution policies. Compare the German Prostitution Act where people choose what "dignity" means to them: Federal Ministry for Family Affairs, Women and Youth (July 2007) Report by the German Federal Government on the Impact of the Act Regulating the Legal Situation of Prostitutes (Prostitution Act). p.11.

Prostitution of Others (1949/1951), in its preamble, quotes dignity in respect to its incompatibility with the purpose of prostitution specifying also the harms to the welfare of the individual³³¹.

At European level, the 2000 Nice Charter, known as the Charter of Fundamental Rights of the EU, confirms the main feature of dignity already mentioned in German law: inviolability. It peremptorily outlines the actions to be performed and imposes positive obligations on European States: dignity must be firstly respected and then protected (Art 1). In order to respect and protect a person's dignity, it is therefore indispensable to respect and protect the person. The person and his/her dignity coincide. The Charter does not define the nature of dignity but indissolubly links it to integrity (Art 3).

The 2005 CoE Convention on Action against Trafficking in Human Beings, endorses the same concept of dignity and integrity expressed by the Nice Charter and appeals to the inobjectionable "nature of discrimination based on sex, and its disastrous consequences" and to "the importance of gender equality and the dignity and integrity of every human being"³³².

What is dignity? Many tentative answers have been given during the centuries, but a common consensus has not been reached yet. Surely, it must be recognized to all beings, a quality which is independent from their behavior. The dignity of the person coincides with the dignity of the body, because we are our bodies. The great consideration and importance we give to burials shows us two elements: 1) dignity is recognized to both dead and alive, 2) dignity is recognized to the body as such. The willingness to separate the body from dignity contradicts evidence of our life. If we take care of our body first of all in terms of health and appearance, as a sign of the dignity we attribute to it, how can we use a double standard to separate the body of the exploited girls from the

³³¹ "Prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community".

³³² CoE Convention on Action against Trafficking in Human Beings (2005) Article 6 – Measures to discourage the demand.

dignity it is inherently holder of?

Dignity can be considered as the mother of and prerequisite for all human rights, the reason for their protection. It is an irrenounceable endowment, inherent to our nature, and the main characterizing feature of being human. Nonetheless, far from a mere individualistic interpretation of the concept, dignity must be also understood as “a bridge between both personal and political morality” and “the content of what we owe to each other”³³³.

There is a need to fill the current normative *vacuum* on the subject and to further investigate in order to find a tentative definition of dignity, able to embody the concepts of equality and reciprocity, in order to avoid the creation of dangerous partial truths.

3.57 Gender equality index

“Prostitution and forced prostitution are intrinsically linked to gender inequality in society and have an impact on the status of women and men in society and the perception of their mutual relations and sexuality”: this is what the 2014 Resolution of the European Parliament on sexual exploitation and prostitution affirms.

The European Union has set up the Gender Equality Index as an indicator measuring the progresses of States towards effective gender equality.

The Index shows that Italy stands below the European average, which means that women are still object of violence and discriminated in the domains of power, work, knowledge, health and time.

Not surprisingly Sweden, the world leader in combating all inequalities and one of the least corrupt countries in the world (the 4th most transparent, compared to Italy 60th and Nigeria 136th), ranks 1st at European level for gender equality. Might this be related to its Sex Purchase Act too? Surely it is a component.

If best practices showing good results are to be emulated, the direction to

³³³Trujillo I., Dignity, Rights and Virtues in the Department of Value.

be followed is quite clear. Normalizing the manifestations of gender-based violence, such as prostitution, leads to a loss for the society at large. The sharp increase of violent episodes involving women is caused by a mentality which basically intends to keep them in a lower social status, as low as merchandise. Giving a monetary value to sexual submission and exploitation does not surely contribute to the advancement neither of society nor of women.

Rapes, feminicides, domestic violence and sexual exploitation are not yet perceived by Italy as well as by other European countries as phenomena having a common gender-imbalanced cultural matrix.

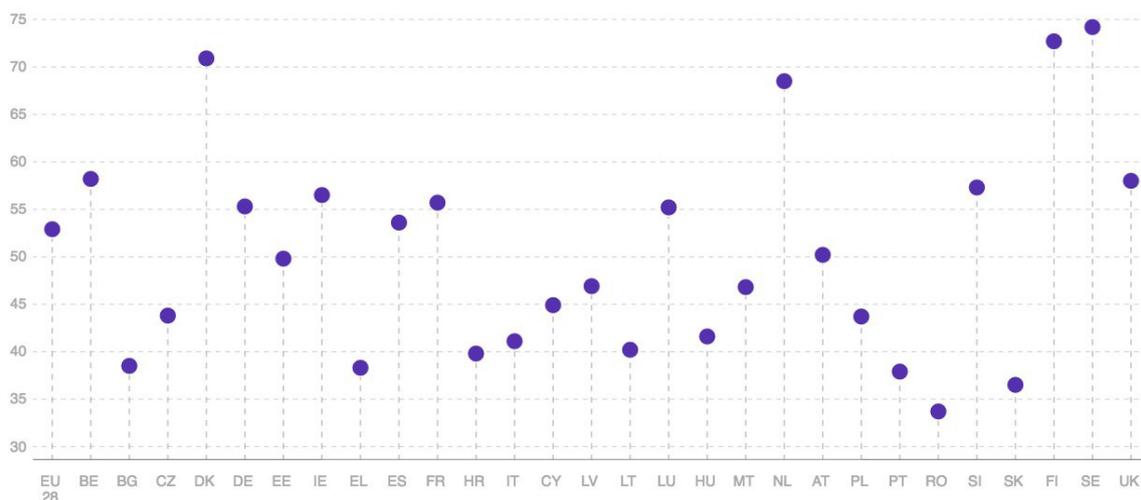


Illustration 33: Gender Equality Index

3.56 Gender equality through gender mainstreaming

The human rights era, inaugurated by the 1948 UN Declaration, contributed in a relatively short time to the moral advancement of mankind. Nevertheless, despite the enormous progresses made, the complete fulfillment of all promises contained in the declaration is still far from being reached. Without claiming a detailed accomplishment of civil or political rights, the 3rd Millennium is still struggling to grant equality to half of the world population. An attentive analysis of any data at our disposal will leap out the real situation of women, let alone the philosophical

discussions and theoretical consensus on gender equality.

How can our society be considered fair and in fine fettle when women still hold a disadvantaged position in real life contexts all over the world?

Gender mainstreaming can be the answer. It is the most powerful instrument to attain gender equality because it promotes mentality change by integrating a gender perspective in all national and international policies. In order to achieve gender equality it is indispensable to

- 1) reach a common consensus on the interpretation of facts leading to the recognition of the existence of an asymmetrical power relationship between man and woman at various levels (gender analysis)
- 2) entice a strong political will to reset the balance of power at international and national level
- 3) set realistic and differentiated goals in each country according to the different starting situation
- 4) allocate funds for the achievements of gender mainstreaming goals (gender budgeting)
- 5) hold public institutions responsible for most of the the empowerment process, in order to avoid resources leakage to the fragmented private sector.

With reference to sexual exploitation, for instance, the first problem we encounter (see point 1) is the dissonant interpretation by the two main opinion blocks (agency-focused vs victim-focused) which inflames a polarized sterile debate between enemies or competitors. These irreconcilable visions with antithetic objectives (legalization and abolition) do not manage to dialogue; they are instead characterized by a strong aggressive and opposing component, which mostly excludes the voice of direct stakeholders, ignores statistical and factual data, and disregards the

right promulgated by the American and French constitutions, to pursue happiness, aspiration common to all human beings, not coinciding with mere survival.

CHAPTER 4

PROSECUTION

“Justice is only for the rich”

Blessing Okoedion, Il coraggio della libertà

Introduction

Human Trafficking is a crime with a strong gender connotation. “Women and girls in particular are targeted again and again and again”³³⁴.

Second only to weapons trade, according to the UN human trafficking is the most lucrative business in the world, raising 150 billion dollars a year and involving 21 million people³³⁵. At world level, UNODC refers that 71% of all trafficked people are women (20% of whom minors), 8% male minors and 21% men³³⁶. This worrying data once again give us a clue on the current gender characterization of this crime. According to 2014 ILO estimate, among all other forms of exploitative labor, sexual exploitation is the world most lucrative sector: it guarantees to traffickers 21,800 USD per year per victim³³⁷. Global revenues from forced sexual exploitation

³³⁴ UN Secretary-General António Guterres (15 March 2017) Secretary-General's remarks at Ministerial Open Debate on Trafficking in Persons in Conflict Situations: Forced labour, slavery and other similar practices. *Un.org* <<https://www.un.org/sg/en/content/sg/statement/2017-03-15/secretary-generals-remarks-ministerial-open-debate-trafficking>>. [accessed 19 December 2017].

³³⁵ Ibidem.

³³⁶ UNODC (2016) Global Report on Trafficking in Persons. p.23. <http://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf> [accessed 19 December 2017].

³³⁷ ILO (2014) Profits And Poverty: The economics of forced labour. <http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_243391.pdf> [accessed 19 December 2017].

amount to 99 billion worldwide (2/3 of the total). The sexual exploitation sector is 6 times more profitable than all other kinds of forced labor and the most remunerative in absolute terms because of the high prices paid by clients and by the low investment incurred by the traffickers³³⁸.

The region reporting the highest annual profits per victim is the EU along with the rest of the Minority World also called developed economies.

A complete definition of sexual exploitation is included in the UNSG Special Bulletin: "The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Similarly, the term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (...) Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited"³³⁹.

Sexual exploitation, intended as a profit-generating abuse of a person's sexuality taking advantage of vulnerability, trust or high power differentials, accounted, according to UNODC³⁴⁰, for 79% of all human trafficking, whereas forced labor hit 18%. However, it must be said that under-reporting and invisibility are to be ascribed to both phenomena.

The anti-abolitionist view claims that: "In view of the overall paucity of evidence on the issue of trafficking globally, it is nearly impossible to make a claim that trafficking is entirely or even largely a problem of organized crime. Neither is there enough evidence or data to establish the extent or nature of involvement of members of organized crime in various countries"³⁴¹.

³³⁸ Ivi p.15.

³³⁹ United Nations Secretary General Special Bulletin (9 October 2003) Special measures for protection from sexual exploitation and sexual abuse. ST/SGB/2003/13. (by Kofi Annan).

³⁴⁰ UNODC (2009) Global Report on Trafficking in persons.

³⁴¹ Sanghera, J. (2012) Unpacking the trafficking discourse. In: K. Kempadoo, ed. Trafficking and Prostitution Reconsidered. London: Paradigm Publishers. p.15.

Nevertheless, the link between criminality and trafficking shows to be very strong at world level, especially in the case of migrant women³⁴². In the case of Nigerians in Italy it is a fact that prostitution is organized, and it could be argued that there wouldn't be prostitution without criminal networks. A study of the European Parliament reports that:

“The prostitution market is a highly globalized and “industrialized” phenomenon where millions of women and children from deprived backgrounds all over the world are bought and sold by criminal circles to macro brothels which can exploit hundreds of victims at once. Human trafficking for sexual exploitation is considered one of the most lucrative illicit businesses in Europe, with criminal groups making about \$3 billion from it per year. Human trafficking for sexual exploitation includes exploitation in prostitution and in pornography”³⁴³. My research confirms the statements above at least with regards to Nigerian girls in Italy.

This chapter will explore, inter alia, statistics and case law on the crime of HTSE, key instrument for fostering evidence-based policy.

A. LEGAL FRAMEWORK ON HUMAN TRAFFICKING

4.1 International LF

Historically, international legal framework on still undefined human trafficking begins with the Trafficking and White Slavery conventions of the early 1900s, followed by the 1949 Trafficking Convention and the 1979 CEDAW Convention.

The first shared definition of “Human Trafficking” appears for the first time in the year 2000, precisely in the city of Palermo, where I carried out the most part of my fieldwork, with the “UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children”,

³⁴² “On average 70% of the prostitutes in the EU are migrant women. Prostitution in the Member States is part of a globalized and transnational market.” EU Parliament. (2014) Sexual exploitation and prostitution and its impact on gender equality. Brussels: EU. p.13. Available at < [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET\(2014\)493040_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET(2014)493040_EN.pdf) > [Accessed 20 June 2017].

³⁴³ EU Parliament. (2014). Sexual exploitation and prostitution and its impact on gender equality. Brussels: EU. Available at [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET\(2014\)493040_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET(2014)493040_EN.pdf) [Accessed 7 June 2017].

supplementing the UN Convention against transnational organized crime. It is a perfectible first attempt to delineate the actions, means and purpose of trafficking.

The Protocol defines as “actions” aiming at human trafficking any kind of “recruitment, transportation, transfer, harbouring or receipt of persons”; as “means” “the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”; and as “purpose”, exploitation.

A crucial indication contained in the Protocol states that the consent of victims is considered IRRELEVANT where any of the means above-mentioned has been used (Art 3.B).

Moreover, in the case of any person under the age of 18, the simple “actions” above described, even without the “means”, are sufficient to configure the crime of human trafficking.

Nigeria ratified the Protocol in 2001 and Italy in 2006.

One of the outcomes of the Palermo Protocol has been the set-up of the Anti-trafficking Policy Index, measuring the efforts of countries in implementing anti-trafficking policies by using three criteria: prosecution, protection and prevention. It appears remarkable that in 2015 both Italy and Nigeria have exactly the same ranking: 25th³⁴⁴.

Among others, some African countries which are either source and transit nations for human trafficking in the diversified current migration routes are not parties to the Protocol: South Sudan, Somalia and Congo.

4.2 European LF

³⁴⁴ The Anti-trafficking Policy Index measures the progress of Governments in achieving prosecution, protection, and prevention of human trafficking (the 3P- Index). The Economics of Human Trafficking Research Group, headed by Seo-Young Cho, at Philipps-University Marburg, Germany, is currently in charge of calculating it.

Cho, S. (2015) Country Ranking and Policy Scores for 2015 (189 countries). Philipps-University Marburg.

Cho, S. (2015) Evaluating Policies Against Human Trafficking Worldwide: An Overview and Review of the 3P Index. *Journal of Human Trafficking* (inaugural edition): 86-99.

The main European normative framework on human trafficking is set up in 2005 with the formulation of the Council of Europe Convention on Action against Trafficking in Human Beings. It strongly links trafficking to a violation of human rights and an offense to dignity and integrity.

The most relevant EU Directives on human trafficking are 2004/81/CE regarding the permit of stay for victims and 2011/36/UE on prosecution, protection and prevention. The latter replaces the previous Council Framework Decision 2002/629/GAI, and paves the road towards a more precise definition of human trafficking.

EU Directive 2011/36/UE transposes in 2011 the 2000 Protocol's definition of trafficking, adding relevant contributions such as: the introduction of the concept of vulnerability associated to the lack of possible choices other than abuse, the enlargement of the illicit purpose of exploitation to begging and criminal activities and, last but not least, the new gender perspective to be applied to all the actions envisaged.

4.3 National LF: Italy

The Italian Criminal Code specific laws punishing the crime of human trafficking are:

1. 600 on enslavement
2. 601 on human trafficking
3. 602 on sale and purchase of slaves.

Offenders who are condemned for any of these 3 crimes are often convicted also for violations related to:

- Inducing people to travel abroad for prostitution³⁴⁵
- Recruiting people for prostitution³⁴⁶
- Abetting or exploitation of prostitution of others³⁴⁷
- Child prostitution³⁴⁸

³⁴⁵ Art. 3 n. 6, l. 20 February 1958, n. 75.

³⁴⁶ Art. 3 n. 7, l. 20 February 1958, n. 75.

³⁴⁷ Ibidem.

³⁴⁸ Art. 600-bis c.c.

- Sexual Violence³⁴⁹
- Sexual acts with minors³⁵⁰
- Crime Association³⁵¹
- Mafia-type Association³⁵²
- Abduction³⁵³
- Abduction with intent to extort money³⁵⁴
- Smuggling³⁵⁵

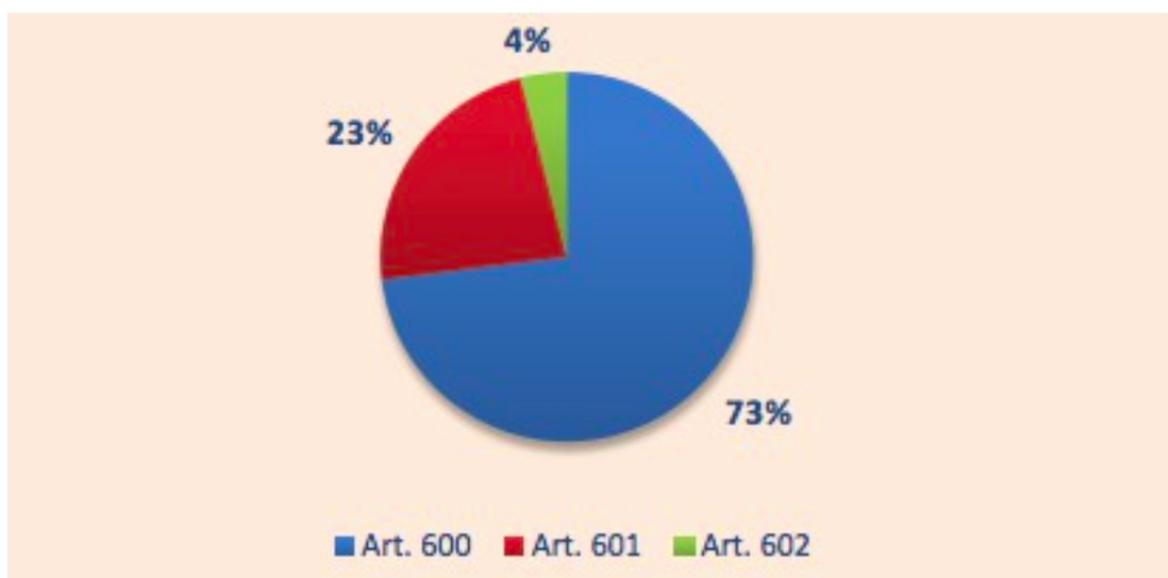


Illustration 34: Trafficking Crimes by law, Source: Ministry of Justice

The Italian law distinguishes Human trafficking from the crime of human smuggling. The Italian Migration Law ³⁵⁶ article 12.3, punishes the illegal transportation of people into the country, without coercion or exploitation. The distinction between the two crimes, though theoretically clear, blurs in praxis, leaving sometimes the space to grey areas in which the 2 definitions at times intersect: it is the case of people who were initially smuggled and then became trafficked or viceversa.

³⁴⁹ Art. 609-bis c.c.

³⁵⁰ Art. 609-quater c.c. It might be applicable to clients.

³⁵¹ Art. 416 c.c.

³⁵² Art. 416-bis c.c.

³⁵³ Art. 605 c.c.

³⁵⁴ Art. 630 c.c.

³⁵⁵ Art. 12 l.d. 286/1998.

³⁵⁶ Testo Unico Immigrazione, Legislative Decree 286/98.

The subjects or victims (depending on the level of agency attributed to each case) of human trafficking are in absolute majority women and children who, differently from smuggled people, often do not pay for the journey to Europe or Italy so that their traffickers can use the debt as a means of blackmailing.

In 2003, Italy fills the legal gap related to the crime of human trafficking in a dignified perspective with the modifications of art 601 of the Criminal code through law n. 228/2003. The Italian Criminal Code was already dealing de facto with the crimes of trafficking and slavery in its articles 600 and 602 but the recent amendments made have been of crucial importance: penalties prescribed in the 2003 Measures Against Trafficking in Persons Law range from 8 to 20 years conviction. These crimes

“transcend the offense to human freedom in its single aspects, as they regard the whole individual personality, in particular in the faculty of autonomous determination of one's own existence, tending to reify subjectivity in objectivity, man in res”³⁵⁷.

In order to create a favorable environment for denunciations, Italy has created the model of art 18 Immigration Law (T.U. Immigrazione) which will be further analyzed.

Finally, it is Legislative Decree n.24 of 4/4/2014 which transposes into the national legal system a definition of human trafficking which is closer to EU Directive 2011/36/UE. We will analyze this further in the Prosecution Chapter.

4.4 National LF: Nigeria

In order to transpose the Palermo Protocol into the national legal system, Nigeria passed in 2003 two decisive federal laws:

³⁵⁷ Scevi, P. (2014). *Nuove schiavitù e diritto Criminale*. Milano: Giuffrè p. 49.

Original quote in Italian: “trascendono nel loro disvalore, l'offesa alla libertà umana nei suoi singoli aspetti, in quanto investono l'intera personalità individuale, segnatamente nella facoltà di determinazione autonoma del proprio esistere, tendendo a reificare la soggettività in oggettività, l'uomo in res”.

1. The Trafficking in Persons Act³⁵⁸
2. The Child Rights Act.

The 2003 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act is the outcome of the advocacy work conducted by an NGO (Women Trafficking and Child Labour Eradication Foundation) headed by the wife of of the then Nigerian vice-president. Operational in Nigeria since 2003, it was amended in 2005 and repealed in 2015 with the aim of catching up with the uncontrolled upsurge in the transnational sexual exploitation phenomenon. Finally, the new Trafficking in Persons (Prohibition), Enforcement and Administration Act was enacted on 26th March 2015. It prohibits all forms of human trafficking and increases sanctions and penalties.

Fines range between 50,000 and 2 million Naira (corresponding to 150 - 4,800 Euro). The heaviest penalty prescribed by the Act, life imprisonment, is assigned to the crime of slavery (slave dealing or traffic in slaves).

Foreign travels promoting prostitution and procurement of any person for prostitution are respectively punished with 10 and 14 years imprisonment without the option of a fine.

The Act punishes exportation/importation of people out/in Nigeria³⁵⁹ by deception, coercion or debt bondage³⁶⁰, procurement of minors and of any person for prostitution and pornography³⁶¹, foreign travels promoting prostitution³⁶², unlawful detention with intent to defile³⁶³ and procuring defilement of any person by threats, fraud or administering drugs³⁶⁴.

³⁵⁸ Trafficking In Persons (Prohibition) Law Enforcement And Administration Act (2003) <[http://lawsofnigeria-placng.org/laws/T23.pdf](http://lawsofnigeria.placng.org/laws/T23.pdf)>. [accessed 22 November 2017]

³⁵⁹ Trafficking In Persons Act, Section 11.

³⁶⁰ *Ivi* Section 12 A.

³⁶¹ *Ivi* Sections 12, 14 and 15.

³⁶² *Ivi* Section 16.

³⁶³ *Ivi* Section 17.

³⁶⁴ *Ivi* Section 18.

Moreover, it directly addresses the crime of slavery by explicitly prohibiting slave dealing as well the sale and purchase of a person for any purpose³⁶⁵.

Section 25 of the Act is very peculiar: it regards Nigerians who were convicted abroad for the crime of human trafficking: "after serving sentence in that country" they will "be liable to be tried in Nigeria for bringing the image of Nigeria into disrepute and shall on conviction, forfeit his assets to the Federal Government in addition to serving a term of imprisonment not exceeding two years". The fear of a double punishment both in Europe and in Nigeria prevents any criminal, madam included, from returning back to homeland.

The punishments for "aliens", non-Nigerians resident in Nigeria (as it is the case for Lybians, Ghanians and others) who commit the crime of human trafficking consists in deportation after serving the term of imprisonment³⁶⁶.

Even the attempt of human trafficking is punished with either conviction or a pecuniary sanction.

The Act address liability of airlines, commercial carriers and tour operators who knowingly or not engage in human trafficking³⁶⁷.

The 2003 Child Rights Act criminalizes child trafficking. To date, only 23 of the country's 36 states have enacted it.

At State level the embodiment of international law into single states legislation resulted in the enactment of the

-Ebonyi State Law on the Abolition of Harmful Traditional Practices Against Women and Children 2001

-Edo State Female Genital Mutilation Prohibition Law 2000 and

-Cross River State Girl-Child Marriages and Female Circumcision

³⁶⁵ *Ivi* Sections 23 and 24.

³⁶⁶ *Ivi*, Section 26.

³⁶⁷ *Ivi*, Sections 29, 30, 31 and 32.

(Prohibition Law) 2000.

B. INSTITUTIONAL / POLICY FRAMEWORK

4.5 International Institutional Framework: UNODC

Since 1997 the main intergovernmental institution dealing with international and transnational crime, drugs and terrorism is UNODC (UN Office on Drugs and Crime). Its expertise particularly relates to organized crime, trafficking, corruption, crime prevention and criminal justice reform.

Its main mandate, apart from research and analytical work, is to enhance the capacity of States and support them in developing appropriate domestic legislation to combat crime, prosecute offenders (including traffickers) and train judges and police alike.

With respect to Nigeria, UNODC works to support the Government in setting up and enhancing anti-human trafficking and anti-corruption policies.

This UN Institution aims at strengthening the rule of law in line with international treaties, singling out the dramatic unresolved problem of trafficking. In particular, it focuses on promoting the protection and re-integration of victims of human trafficking.

A second urgent priority in Nigeria regards the widespread corruptive behavior of people throughout the country. An UNODC recent research on corruption in this SubSaharan country³⁶⁸ shows that almost every adult citizen pays to public officials an annual bribe corresponding to one fourth of his salary in order to get jobs in the public sector, cancel fines or speed up administrative procedures.

³⁶⁸ UNODC (2017) *Corruption in Nigeria. Bribery: public experience and response*. Available at <https://www.unodc.org/documents/data-and-analysis/Crime-statistics/Nigeria/Corruption_Nigeria_2017_07_31_web.pdf> [accessed 22 November 2017].

4.6 National Institutional Framework: the Anti-trafficking National Plan in Italy

The Italian Anti-trafficking National Plan 2016-2018 is composed of 4 main pillars, namely: prevention, prosecution, protection and partnership.

With regard to the prosecution section, the Plan identifies two very important areas of actions: strengthening judicial cooperation through adopting a multi-agency approach and transposing national and international norms into the Italian national system.

In the area of judicial cooperation it promotes:

1. - proactive financial investigations in human trafficking
2. -cooperation with Interpol and Europol
3. -a better collaboration between border police, ordinary police and the judiciary
4. -bilateral agreement with transit and origin countries of victims of trafficking
5. -renewal of a Memorandum of Understanding prepared by the DNA (Direzione Nazionale Antimafia – Antimafia National Office) addressing all the General Prosecutor's Offices for a closer collaboration between the public (investigators) and the private (NGOs or people who are in contact with victims) based on the assumption that in a pre-investigative phase, it is better that a "private" (supposedly) competent person establishes a first contact with victims who would be otherwise hostile to give information to the police or to judges.
6. -multiagency cooperation to find put the overlaps among smuggling, trafficking and exploitation of prostitution.

With respect to the transposition of national and international norms into the Italian national system it suggests:

1. -A constant activity of study of concrete cases through which criminal conduct occurs in order to identify the problems and actions to ensure the adequacy of national laws
2. -The creation of a statistical database with relevant judgements. A suitable system for statistical detection is still proving to be ineffective albeit the highest expectations.

Notably, in the same year in which the Plan has been adopted, 2016, the funds supposed to be allocated for human trafficking victims have been cut by the Italian Government.

4.7 "Crimmigration": Nigerian manhunting in Italy

*Crimmigration*³⁶⁹ is the intersection between criminal and immigration law: it perfectly depicts the situation of a good number of Nigerians in Italy.

Notwithstanding the controversial and ingenuous recent Ministry of Interior indication (N.400.B/2017/9/28/02 Audizioni e charter Nigeria/ I[^] Div. II Sez.), known as "activities tackling clandestine migration" and dated January 2017, aiming at expelling undocumented / illegal residents of Nigerian origin in cooperation with the Nigerian diplomatic authorities, the battle against the Nigerian mafia is still ongoing and far from its conclusion. The Ministry of Interior remarks that, for the purpose of expulsion, it had reserved 95 posts (50 for women and 45 for men) at CIE (Centri Identificazione ed Espulsione-Identification and Expulsion Centers) located in Rome, Turin, Brindisi and Caltanissetta in the period 26 January-18 February of the same year.

My fieldwork in Palermo showed that the foreign as well as the local criminal organizations are very well assisted by rampant lawyers who would never let their clients be ill-equipped: most foreign criminals legally reside on the Italian territory, often as asylum seekers.

Undoubtedly this decision had a discriminatory feature based on

³⁶⁹ This term was coined by law professor Juliet Stumpf in 2006.

nationality; however, it is true that the criminal offenses committed by Nigerians outnumber the ones committed by other migrants of non-European origin. It might seem that the Ministry's decision to deport Nigerian people has a connection with the willingness to limit criminal activities, nevertheless it has probably been another attempt to expel migrants. Anyhow, Italy has not reached its intended objective because this highly invasive administrative measure of detention and expulsion has been mainly applied to people who are not part of any criminal network. The Nigerian mafia is a very well organized web, and would not be so naïve as to leave its people without a regular permit of stay: it is just the appearance of legality that allows them to remain undetected, as the phenomenon itself. Proof is the fact that madams, exploiters and affiliated of confraternities are very often holders of regular international protection statuses.

4.8 NAPTIP: Prosecution Powers

In order to fulfill the obligations arising from the 2000 Palermo Protocol, the 2003 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act sets up an *ad hoc* institution: the Nigerian National Agency for the Prohibition of Trafficking in Persons (NAPTIP) as a crime-fighting office entrusted with enormous powers. It has the mandate to investigate potential offenders (people or entities), enter "into any premises, property or conveyance for the purpose of conducting searches", "arrest, detain and prosecute offenders", "trace or retain the custody for the purpose of investigation and prosecution, of any property which the Agency reasonably believes to have been involved in or used in the commission of offences under this Act or any other law".

The four-folded scope of the Agency is articulated in: prevention, prosecution, protection and partnership.

As for prosecution, NAPTIP's results are not as high as expected: in 2008, 5 years after the set up of the Agency, there were over 200 arrests for

trafficking, followed by only 17 trials³⁷⁰. In general, law enforcement remains a challenging issue in Nigeria.

C. JUSTICE

“A consistent approach to justice implies that the answer to injustice is “owed” and not graciously granted by benevolent subjects”³⁷¹

Password: Impunity

4.9 Corruption in Italy and Nigeria

“Justice is only for the rich”: this is what the Nigerian prostitution survivor Okoedion outlines³⁷². The data on corruption in both Italy and Nigeria unfortunately confirms her statement.

Corruption in Italy is an issue of paramount importance with regard to both the private and the public sector, the most alarming being in the political arena. As for public officers involved in trafficking and sexual exploitation we can find policemen (F. Galletta from Palermo arrested in 2016³⁷³), prison guards (Pruscino from Benevento, and Maniglia from Gela in 2009³⁷⁴) and diplomatic missions’ officers (in 2007).

The issue of corruption in Nigeria is of non-less concern: the CEDAW Committee in 2017³⁷⁵ recommends that access to justice is guaranteed to all women and that investigations on “allegations of corruption within the judiciary” are launched. Without prosecuting and punishing “corrupt judicial officials who obstruct justice” and “perpetrators of sexual exploitation” it is not possible “to restore women’s effective access to and trust in the judicial system”. With the aim of equality between men and

³⁷⁰ UK Secretary Of State For The Home Department v PO (Trafficked Women - Nigeria) (2009) Asylum and Immigration Tribunal. Tribunal Decision UKAIT 46. <https://moj-tribunals-documents-prod.s3.amazonaws.com/decision/pdf_file/37690/00046_ukait_2009_po_nigeria_cg.pdf>. [accessed 22 November 2017].

³⁷¹ Trujillo, I. (2007). *Giustizia Globale*. Bologna: Il Mulino.

³⁷² Okoedion, Il coraggio della libertà.

³⁷³ Repubblica (6 December 2016) Palermo: sfruttamento della prostituzione. *Repubblica.it* <http://palermo.repubblica.it/cronaca/2016/12/06/news/palermo_sfruttamento_della_prostituzione_condannati_p_oliziotto_e_la_moglie-153578619/> [accessed 22 November 2017].

³⁷⁴ La Nazione (4 December 2009) Case del sesso in città. Arrestati 2 agenti penitenziari. *Lanazione.it* <http://www.lanazione.it/livorno/cronaca/2009/12/04/267940-case_sesso_citta_shtml> [accessed 22 November 2017].

³⁷⁵ Conclusions on Nigeria of CEDAW Committee, 2017.

almost none of them is convicted, either because they reach statute-barred periods or because they belong to the caste of rich untouchables. Will Okoedion be right in affirming that “justice is only for the rich”? From my experience as a volunteer in the main Palermo jail I would bitterly say that she is largely right: the social class of most detainees is low and it results extremely hard for some categories of people including migrants to have justice even when proved by evidence³⁷⁷.

The chief contributing factor to the construction of impunity is first and foremost the slowness of justice (it takes average 500 days for a 1st Instance judgement), caused in turn by an undersized judiciary, numerically incapable to deal with the volume of criminal investigations and trials. A second factor causing the inability of the Italian State to cope with criminality can be identified in the lack of significant and above all prompt pecuniary and penal sanctions, whose effect could be used as a deterrent. A third factor has a true rage-provoking name: prescription. Italy hits the record of 165.000 prescriptions per year; according to the Italian Ministry of Justice over 1 million and a half criminal proceedings were nullified because of prescriptions between 2004 and 2013. Last but not least, jail overcrowding pushes judges to concede milder punishments, such as home arrests, proved to be a totally ineffective dissuading measure.

An Italian judge, Francesco Florit, from the Tribunal of Udine labels Italian justice this way: "they are convinced that if you ever get caught up there, you make a plea bargain and they let you free. They know that justice is not efficient and the system is such that, after a while, they are released and can restart as before"³⁷⁸.

³⁷⁷ A clamorous example is the case of mistaken identity which involved Medhanie Berhe, an Eritrean carpenter arrested in May 2016 for being the “most dangerous human trafficking boss”. Though his total innocence has been confirmed by many evidences, including a DNA test, he is still kept in the main Palermo jail to date, making use of a legal technicality. Italy is confirmed once more as having become the kingdom of technicalities, able to turn upside down or directly take over the truth. In parallel, the same technicalities have had the power to acquit high-ranking politicians and State officials abusing the whole country for decades. Okoedion, Nigerian prostitution survivor and writer, is probably right: justice is only for the rich.

³⁷⁸ Translation of: «Sono convinti che qui da noi se mai ti beccano fai un patteggiamento e ti rimettono in libertà. Sanno che la giustizia non è efficiente e il sistema è tale che, dopo poco, si è rimessi in libertà e si può

The short prescription period of crime is also another characteristic of the Italian legal system which incentives not to respect the law. Piercamillo Davigo, another Italian judge, affirms that “only in our country laws allow us to prolong the time to get away with it”³⁷⁹.

Most Nigerian key informants of this research confirm that both madams and their collaborators do not fear much the police or Italian authorities, and that is the reason for their arrogance.

A second reason for the choice of Italy might be the scarce attention paid to the phenomenon of forced prostitution, not always and not by all officers perceived or recognized as a form of exploitation. As it will be further discussed in another paragraph the alleged lack of funds for investigations might be linked to the non-prioritization of this crime.

A third reason can be the presence of local mafia-like criminal organizations with whom making alliances and which can guarantee protection.

4.11 Palermo: capital of human trafficking or of the human trafficking Protocol?

The main city in Sicily, which represents the European Union border with Africa, Palermo has had and is currently having a pivotal role of historical proportions. It is the place

- of the UN Protocol against human trafficking known as the Palermo Protocol
- where the first sentence in Italy on human smuggling was pronounced
- where mafia was born and proliferates

ricominciare come prima».
Il Giornale (24 September 2014) E il giudice ammette: "Per gli stranieri siamo il Paese dell'impunità.
Ilgiornale.it <<http://www.ilgiornale.it/news/politica/e-giudice-ammette-stranieri-siamo-paese-dellimpunit-1054183.html>> [accessed 22 November 2017].

³⁷⁹ Translation of: «Solo da noi le leggi consentono di allungare i tempi per farla franca»
Il Fatto Quotidiano (21 Novembre 2014) Il sistema italiano di prescrizione del reato è unico al mondo.
Corriere.it
<<http://cinquantamila.corriere.it/storyTellerArticolo.php?storyId=546ee4126a7c0>> [accessed 22 November 2017].

– where a number of migrants disembark.

But what's the role of Palermo in trafficking Nigerian girls? In wiretaps contained in a judgement of the Tribunal of Torino dating back to 2010 on Nigerian human trafficking we find that

"Stanley talks to a woman and asks if she can get J or Blessing to work in Palermo because there is a good place (...) at that place the police do not disturb "³⁸⁰.

Clearly, the city is seen as a "good place" for criminal activity, and the Nigerian criminal explains the reason: the police does not disturb. Having had the opportunity to interact with law enforcement authorities several times during my fieldwork, I will make an attempt to summarize the core challenges facing the Palermo police.

Palermo is the city with the highest level of organized crime in Italy. Both human and financial resources are not sufficient to face the huge number of crimes of any kind, perpetrated on a daily basis often in impenetrable areas. In the light of these considerations, "foreign prostitution" cannot be considered as a top priority. The real challenge remains political will.

The police of Palermo has been accustomed to work in inadequate conditions since the so called "lead years", the 80s and early 90s, time during which the Italian Ministry of Interior, despite numerous and explicit written requests, denied any support, becoming, if nothing else, a mere silent spectator of the killings of the country's most valorous policemen. The answer to the courage and dedication of historical Italian police heroes like Ninni Cassarà (killed in 1985) and his 3 collaborators, Roberto Antiochia (killed in 1985), Natale Mondo (killed in 1988) and Calogero Zucchetto (killed in 1982), who, aware of the life-endangering conditions, were anyhow using their own private vehicles and holidays for criminal investigations, has been, again, abandonment. Apart from the organization of yearly public commemorations, it does not seem, in

³⁸⁰ Wiretapping no. 2738 of 20 February 2004 and n.5757 of 5 April 2004, part of the judgment dated 12 May 2010 of the Turin Tribunal, V Section.

practical terms, that situation has changed much since that time. Or, as the Sicilian famous thinker Tomasi di Lampedusa would affirm: "Everything changes so that nothing will really change".

Why are resources for police investigations so meagre? The 3 explorable hypotheses are: 1) the country's scarcity of resources doesn't allow for a better allocation of funds even to face urgent issues (as it could be the case in Nigeria) 2) the Minister of Interior's superficiality is due to an underestimation or lack of awareness of the real needs of Sicily 3) with regard to human trafficking, the situation mainly relates to non-Italian citizens who are not the State's priority 4) there is a lack of political will to permanently defeat human trafficking, as well as other criminal phenomena.

Whichever the reason might be, the police forces in Palermo work with limited means and are kept in a state of permanent hardship and pressure. Empowering enforcing authorities would raise the level of trust of the Sicilian population, still very skeptical towards Statal authority since the Garibaldi's conquer (or liberation, depending on the viewpoint).

Another unresolved issue reported by the police officers in Palermo regards the difficulty in finding available translators to interpret wiretapping in West African Pidgin English, Bini, Hausa, Yoruba and Igbo. The first reason for not finding translators lies firstly on the faithfulness of Nigerian to their fellows.

Trafficking case law in Italy

4.12 Case law in Italy

An analysis of a sample of judgements of the Court of first instance on one or more of the 3 trafficking crimes, conducted at national level in the period 2009-2013 by the Italian Ministry of Justice, sheds a light on the growing and worrying size of the phenomenon. The investigation was

conducted on 136 files in 15 different tribunals with the most representative cities being Rome (32 judgements) Milan (25) and Naples (20), followed by Bari (12), Bologna (9), Turin Florence Catania (8 each), and Palermo (4).

Enslavement is the main crime contested (73%), followed by human trafficking (23%) and trade in human beings (4%).

The report identifies women (77,5)% as the main victims in comparison with men (22,5%). These women are mainly foreigners (96,9%) and, among the foreigners, 13,6% are married and 22,3% have children. Among the foreign women, Nigerians represent 19%. The average declared age of the victims is 25 years.

It is interesting to notice that this data confirms the existence of a percentage of young women who have children in young age: three of the women I have been in direct contact with in Palermo, had the first child at the age of 13. They often raise their children with the help of the family of origin and in the absolute absence of a man by their side.

According to the report 15,7% of the trafficking victims are minors.

A noteworthy data regards the reason to come to Italy: in 84,5% of the examined sample the victims come to look for a job and only in 5,8% for prostitution and in 4,4% out of coercion.

In my fieldwork I had the opportunity to know all the 3 categories of girls and my empirical research confirms that most of them come to Europe because they want to have a job (not considering prostitution as a job as my interviewees say) and send money back home. This data would contradict the idea that most girls would come to Europe knowing that they will "work in the sex industry" and that with a high level of "agency" they would choose it as a profession. Though it can be argued that this data on judgements could only be representative of those wishing to leave the "sex industry", other data collected from the field would confirm the plausibility of these findings.

The US TIP Report 2017, analyzing the effects of the 2003 Italian trafficking law³⁸¹, underlines how investigations on trafficking and enslavement keep growing (44 in 2014, 65 in 2015 and 102 in 2016) in Italy with prison sentences from 6 to 9 years. Nonetheless, the number of indicted defendants was 16 in 2014, 17 in 2015 and zero in 2016. Italian courts of appeal managed to convict only 11 offenders in 2014, 11 in 2015 and 23 in 2016³⁸².

4.13 Trafficking: an under-reported crime

We will try to further analyze why judgements are few in comparison with the size of the phenomenon. From my viewpoint, not certainly because girls like being exploited or, from other viewpoints, because they want to work in the "sex industry". The reasons behind the small number of police reports are the following:

- 1) the fear and distrust of girls towards the enforcement authorities often compared to the Nigerian corrupt police
- 2) the fear of repatriation to Nigeria
- 3) the fear of the repercussions on them and their families consequential to voodoo breaching
- 4) blackmailing by the traffickers
- 5) high level of physical control of movements by the traffickers
- 6) the fear of isolation and blame and of being considered as an unforgivable betrayer of the community for having reported a fellow (sometimes a relative, a husband, a family friend or a cousin) to foreign authorities. The same reason applies to the difficulty in finding Nigerian translators for the police.
- 7) the fear that their life will not improve and that on the contrary they will be left in an interminable waithood status.

8) Mistrust towards to associations in charge of the rehabilitation.

³⁸¹ Italian Law 228/200: Measures against Human Trafficking.

³⁸² US Department of State (2017) Trafficking in Persons (TIP) Report.

<https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271211.htm> [accessed 6 December 2017].

- 9) The negative experience of other fellow Nigerian girls who escaped or left the “safe houses” because they were considered as “prisons” or because of alleged mismanagement by the owners and/or lack of capacity of the social workers
- 10) many girls part of this study got the “documents” (a legal status in the territory meaning a permit of stay) much more quickly through their Nigerian connections rather than through the police reports.
- 11) Simply, silence is the preferred option. “We teach girls to be likeable, to be nice, to be false. And we do not teach boys the same. This is dangerous. Many sexual predators have capitalized on this. Many girls remain silent when abused because they want to be nice. Many girls spend too much time trying to be “nice” to people who do them harm. Many girls think of the “feelings” of those who are hurting them. This is the catastrophic consequence of likeability. We have a world full of women who are unable to exhale fully because they have for so long been conditioned to fold themselves into shapes to make themselves likeable.”³⁸³
- 12) Some girls feel grateful to the madam for having brought them out of Nigeria and their habit to maltreatment along with their level of resilience is so high that they consider violence as a normal behaviour. “How can we resist exploitation if we don’t have the tools to understand exploitation?”³⁸⁴

As we can see there are 3 sets of elements preventing exploitation reports. The first one deals with Nigerian-related reasons, the second mainly with NGOs, the third with Italian bureaucracy and migration policies.

The first set of problems has at its core a fear-based system, very difficult to dismantle, which keeps maintaining the exploitation structure. The

³⁸³ Adichie, C.N. (2017) *We should all be feminists*. London: Fourth Estate.

³⁸⁴ Adichie, C.N. (2008) *Half of a Yellow Sun*. London: Fourth Estate

second not less relevant set of problems relates to the financial and human resources management of many “safe houses” (especially in Sicily) and to their inability to respond to the needs of girls. The third set of problems calls for Statal responsibility: how is it possible that girls who reported their traffickers to the authorities are kept in “waithood” for a number of years while those who were faithful to the Nigerian code of silence manage to get international protection through the asylum procedure in a shorter time? The paradox is that it often becomes more convenient to remain in illegal networks rather than to collaborate with the Italian authorities whose priority is criminal investigation and not girls' rehabilitation. The reality observed, after having followed a number of cases of Nigerian girls in Palermo, bitterly outlines how *de facto* relying on criminal networks results in an easier and speedier attainment of permits of stay.

Empirical evidence show that even those who left prostitution and started a new life getting a permit of stay through international protection manage to better reach the objective without resorting to the authorities. Sadly enough in some cases it has been less convenient to resort to the police and social services.

The bottlenecks in girls lives resulting as main consequences of police reports are undeniable, at least in Sicily. At other geographic latitudes the presence of well-functioning safe shelters completely changes the scenario.

4.14 Art 416-bis: Mafia-Like Associations

An analysis of the judgements issued by the Court of Palermo and Torino reveals that the most severe alleged offenses attributed to Nigerians residing in the Italian territory regard the following Italian Criminal Code articles:

-416 and 416 bis mafia-like associations. Introduced in 1992, it was strongly promoted by Giovanni Falcone, the judge killed in Palermo by mafia in the same year. The late approval of this law, according to judge Caselli and many others, allowed for the actual discharge of *mala fides* colluded police officials who actively collaborated with the mafia before that year (such as the Contrada case, 2017).

- 600 enslavement.
- 601 human trafficking
- law 75/58 pimping (law 75/58) reveals that, compared to the magnitude of the phenomenon, the majority of criminals are neither searched nor caught or punished.
- The use of Article 416 bis to condemn a foreign mafia organization has been very rare in Italy. Until few years ago this has been a crime with a strong national connotation. The data of the Ministry of Justice confirms that among the 6.887 people detained in Italy for the crime of mafia-like association only 95 are foreigners and, among the foreigners only 7 are women³⁸⁵. The Court of Turin in 2010 and the Court of Palermo in 2016 and 2017³⁸⁶ used this article of the Italian Criminal code to condemn the Black Axe, the Nigerian mafia operating across Italy (and having its cells in Brescia, Milano, Novara, Padova, Rimini, Castelvoturno, Verona and other cities) and Europe. The Court of Palermo accuses this Nigerian hierarchical criminal association, whose meetings take place in Ballarò (the Nigerian ghetto of Palermo), of managing exploitation of prostitution and drug trafficking. The intimidating power of this mafia-type association, and the resulting conditions of submission and silence, obtained unlawful profits and advantages. The socio-territorial predominance is one of the organization's main aims; this abusive domain is currently directed towards the Nigerian community. Wiretapping of a mafioso detainee

³⁸⁵ ISTAT (2016) Giustizia, Criminalità E Sicurezza. <<https://www.istat.it/it/files/2016/12/C06.pdf>> [accessed 22 November 2017].

³⁸⁶ Il Sicilia (14 November 2017) Mafia Nigeriana: a Ballarò sgominata una banda della Black Axe. *Ilsicilia.it* <<http://www.ilsicilia.it/mafia-nigeriana-a-ballaro-sgominata-una-banda-della-black-axe/>> [accessed 22 November 2017].

servicing a life sentence, Giovanni Di Giacomo heading the Palermo Porta Nuova clan, confirm that Nigerians show respect towards the local mafia.

The Black Axe economic activities are funded, totally or partially, by the proceeds of criminal offences³⁸⁷ which are hard to discover because of the extreme loyalty to the criminal associative oath based on mutual support, taking the name of "omertà", a mafia-specific term indicating the impenetrable code of silence characterizing Cosa Nostra, Ndrangheta, Camorra and Sacra Corona Unita.

Understanding the logics of this obscure organization is not so straightforward; apparently the Black Axe, often fighting with another mafia-like association, the Eiyè or Air Lords, after the arrests made in Turin in 2010, reorganized and moved its headquarters to Palermo where it has operated almost undisturbed for a long time.

The Swedish national legislation, for obvious reasons, does not even have an article in its national legislation to describe this kind of crime: this is a strong disadvantage that would need further attention.

4.15 Italian investigations statistics

Statistics on current investigations show that Nigerians hit the inglorious record at national level for violations of articles 600 (enslavement), 601 (human trafficking and slave trade) and 602 (purchase of slaves) of the Italian Criminal Code.

The 2017 National Report of the Anti-mafia Office reports that in the period July 2015-June 2016 the highest number of people under investigation for the crime of enslavement (art. 600 c.c.) was registered in Sicily, namely in Catania (64 people), the province where the Mineo CARA is located, then in Naples³⁸⁸ (48), Cagliari (27), Lecce (23), Palermo and Rome (22 each)³⁸⁹.

As for the crimes of trafficking (art. 601 c.c.) and purchase of slaves

³⁸⁷ See Art 416 bis, Italian Criminal Code.

³⁸⁸ The Naples DDA includes also the area of Caserta where Castelvolumo, main Nigerian prostitution hub, is located.

³⁸⁹ See Antimafia National Board (2016) Annual Report July 2015-June 2016.. Ministry of Justice. <<http://www.avvisopubblico.it/home/wp-content/uploads/2017/06/RELAZIONE-DNA-1.7.2015-30.6.2016.pdf>>[accessed 26 July 2

(art.602 c.c.) the highest number of victims is of Nigerian nationality (52 and 120, respectively) with a strong geolocalization in two Italian regions: Campania (Napoli) and Sicily (Catania)³⁹⁰.

4.16 Convictions of Nigerians in Italy

A number of Nigerian traffickers (both men and women) are currently convicted for the crimes of human trafficking and enslavement and are serving the sentence in different Italian prisons. The Nigerians currently convicted in Italy for violations of art. 600 (enslavement), 601 (human trafficking), 602 (purchase of slaves) and 416-bis (mafia-like association) are 122. I calculated the percentages of Nigerians convicted for these crimes compared to all other foreign inmates in order to have a clearer picture of the protagonism of these migrants in human trafficking at national level.

*Illustration 35: Convictions of Nigerians by crime*³⁹¹

Type of Crime	Law	Foreign Prisoners	Nigerians	% of Nigerians out of the foreign prisoners convicted for these crimes
Enslavement	600	194	42	21%
Human trafficking	601	123	48	39%
Mafia-like Association	416 bis	77	21	27%
Purchase of slaves	602	39	11	28%
Total	All 4 laws	433	122	28%

³⁹⁰ Ibidem.

³⁹¹ See Antimafia National Office (2016) Annual Report. Ministry of Justice. <<http://www.avvisopubblico.it/home/wp-content/uploads/2017/06/RELAZIONE-DNA-1.7.2015-30.6.2016.pdf>> [accessed 26 July 2017].

Yet, no Nigerian man or woman has ever been detained under the 41-bis Prison Administration Act though in the future they could be and that would constitute a strong deterrent for the Nigerian criminality. In the list of crimes punishable with the 41-bis we find exploitation of child prostitution, enslavement, human trafficking, mafia-like association, gang rape.

This provision creating the hardest prison regime in Italy was strongly wanted by judge Giovanni Falcone killed by mafia in 1992. It basically punishes the most dangerous detainees (such as the mafia boss Totò Riina) with restrictive measures aiming at complete isolation. That is why when Italy introduced it, only 2 prisons in 2 islands (Sardinia and Elba) were apt to receive this kind of inmate. There are 23 prisons in Italy that are apt to host 41-bis inmates, and none of them is in Sicily.

Contrary to our imagery, Italy's number of prisoners is below the EU average, as showed by data provided by the Council of Europe. Certainly, Italy does not have a lower number of crimes in comparison with other EU countries, but a lower number of convictions and a higher level of impunity.

The disaggregated data referring to 2015 and produced by Antigone, the main association working in Italian jails, clearly shows that prostitution is clearly a crime mostly involving foreigners: 77,4% of prisoners convicted for prostitution-related crimes are foreigners whereas only 22,6% are Italians³⁹².

The search for disaggregated data on female Nigerian prisoners in Italian jails started from first a gender and then a migration perspective.

The official data published in 2015 by the Ministry of Justice in collaboration with the Italian National Statistics Institute, ISTAT,³⁹³ shows

³⁹² Antigone (2015) Detenuti Stranieri In Italia. Editoriale Scientifica Available at <<http://www.associazioneantigone.it/upload2/uploads/docs/stampadetenutitabelle.pdf>> [accessed 26 July 2017].

³⁹³ Ministry of Justice (2015) I Detenuti Nelle Carceri Italiane. Available at <<http://www.istat.it/it/files/2015/03/detenuti-2015-1.pdf>> [accessed 26 July 2017].

that, though in general female prisoners in comparison with their male counterparts are a limited percentage not changing much overtime (4,3%), the situation completely changes when analyzed in a migration perspective.

The current presence of foreign prisoners in Italy is 33,45%³⁹⁴ according to Antigone. Their origin is mainly from Africa (46,3%). The only African nationality whose female presence outnumbers the male presence is Nigerian: 8,4% of all foreign inmates are Nigerian women whereas 3,7% are male. The gender indicator reveals a lot in terms of cultural contents and sheds a light on the women's role in the economy of the family in Nigeria. In this African country many families are female-headed and men's presence as bread-winners results very volatile and inconstant.

I tried to calculate the detention rate of Nigerians based on their presence in the Italian territory and I found out that it is higher in comparison with other foreign communities that have more detainees in absolute terms. Romanian nationals, for instance, who represent the biggest foreign community living in Italy, are close to 1 million. And 3.504 of them are in prison (0,35% of the whole community). Nigerian nationals are 88.527 and 865 of them are in prison (almost 1% of the whole community). Therefore, notwithstanding the higher numbers, Romanians are supposed to have a lower criminality rate in comparison with Nigerians.

The Italian Regions with the highest number of police reports for exploitation of prostitution in 2014 were: Lazio (165), Lombardia (128), Emilia-Romagna (106), Campania (97), Piedmont (96), Sicily (91) and Veneto (75)³⁹⁵.

Very few Nigerians, similarly to other foreigners in Italy, have access to measures alternative to detention because they do not possess the requisites requested by law which are a good family environment, a job, accommodation. Actually, among all the inmates having access to these

³⁹⁴ Antigone (2016) GALERE D'ITALIA. XII Rapporto di Antigone sulle condizioni di detenzione. Available at <<http://www.associazioneantigone.it/upload2/uploads/docs/Rapporto2016Cartella.pdf>> [accessed 26 July 2017].

³⁹⁵ Ibidem.

measures, only 14,8% are foreigners and Nigerians represent 0,8%³⁹⁶ (7 people all over Italy).

During my fieldwork we, as Mobile Outreach Unity, managed to help a Nigerian girl find a job and accommodation, which gave her the opportunity to serve the sentence while working and going to the university instead of being locked in a prison³⁹⁷. Looking at the data, she seems to have been a very privileged case.

It would be important to give foreigners the same opportunities that Italians have in order to avoid any discrimination and to consider the exceptional intersectional vulnerability facing women migrants.

Trafficking case law in Nigeria

4.17 Case law in Nigeria

Human trafficking case law in Nigeria gives a dimension of the weakness of the rule of law in this country as well as of the level of impunity and inadequacy of the punishments inflicted to traffickers³⁹⁸. Unfortunately, the fear of conviction remains so far the best deterrent.

UNODC in its database shows that 3 in 6 verdicts on human trafficking in Nigeria between 2004 and 2009 regard commercial sexual exploitation and in particular recruitment, transportation and harbouring (act) by deception and coercion (means) for prostitution (purpose). As we can observe the 3 main indicators of human trafficking, act, means and purpose, perfectly fit in the Palermo Protocol's definition. The alleged violations refer to articles 3 and 5 of the Protocol and the form of trafficking was both internal and transnational. The oath and the debt (35,000 euro in all cases) are common to many trials. The trafficking destination countries are mostly European: Italy (cases: Attorney General of the Federation and Samuel Emwirovbankhoe, Federal Republic of

³⁹⁶ My calculation is based on the ISTAT data stating that Nigerians in alternative measures are 5,7% of all the foreigners in alternative measures which are totally 14,8% of all the prison population.

³⁹⁷ See Chapter 1 Life story of Annabelle par.1.5.

³⁹⁸ US State Department (2017) *Trafficking in Persons Report*. Available at <<https://www.state.gov/j/tip/rls/tiprpt/2017/>> [accessed 1 October 2017].

Nigeria v. Favour Anware Okwuode, Attorney General of the Federation v. Constance Omoruyi), Spain (cases: Attorney-General of the Federation v. Sarah Okoya, Attorney General of the Federation v. Samson Ovensari), the Netherlands (Attorney General of the Federation and Kingsley Edegbe) and others.

The terms of imprisonment were respectively: 5 years for Okwuode and Emwirovbankhoe, 1 year and a fine of 150,000 Naira for Omoruyi, 3 years with hard labour for Okoya, 1 year for Ovensari. No compensation has been provided to victims³⁹⁹.

The first conviction ever under Nigeria's new human trafficking legislation took place in the Edo State in 2004. In this case, known as "Attorney-General of the Federation v. Sarah Okoya"⁴⁰⁰, the investigated Nigerian woman who had recruited two groups of girls (6 people totally) aged 19-23 with the aim of trafficking them to Spain via Benin was charged with 3 years' imprisonment: 12 months per charge. The 3 charges were: procuring for prostitution, organizing foreign travel to promote prostitution and, finally, deceitful inducement. With regard to the first two charges, which are also the gravest, she was found guilty of only attempt of procuring for prostitution and of organizing foreign travels to promote prostitution while fully guilty for the deceitful inducement (she had promised hairdressing jobs in her salon in Spain).

Another conviction dating back to 2008, again in Edo State, known as "Attorney General of the Federation and Samuel Emwirovbankhoe", has a new element, slavery, and a new destination, Italy⁴⁰¹. By means of deception, a 48-year old Nigerian "native doctor" deceived 4 girls, aged 18-23, with the aim of trafficking them to Italy (transnational crime) for exploitation of prostitution.

³⁹⁹*Attorney General of the Federation v. Favour Anware Okwuode* (Judgement 28 September 2009). Suite N. FHC/ASB/24C/09.Federal High Court of Nigeria. Asaba Judicial Division. Asaba: Delta State.

⁴⁰⁰*Attorney-General of the Federation v. Sarah Okoya*. (Judgement 19 November 2004). Suit No. B/15C/2004. High Court of Justice. Edo State of Nigeria. Benin Judicial Division. Benin City.

⁴⁰¹*Attorney General of the Federation v. Samuel Emwirovbankhoe* (Judgement 22 April 2008) Suit N. B/20C/2005. Nigerian High Court of Justice. Edo State of Nigeria. Benin Judicial Division. Benin City.

Another interesting and controversial case of human trafficking to Europe dates back to 2014. The case named "Attorney General of the Federation and Kingsley Edegbe" regards trafficking of minor girls from Edo State to the Netherlands⁴⁰². The trafficker, after having forced them to undergo voodoo rituals, gave them instructions on how to make asylum request and provided them with counterfeited travel documents. Very surprisingly the criminal, found guilty by the Dutch authorities, had the support of the Nigerian judge who denied his extradition in order not to allow him to serve the sentence in the Netherlands.

Punishment so far have been very few in number and mild in penalties. Though some traffickers gets caught and many others keep their activity almost undisturbed, girls who have been trafficked run a concrete risk of re-trafficking.

Re-trafficking is mainly due to 2 factors: the absence of a supportive family and the highly vulnerable profile of the girl, which both made possible the first trafficking.

4.18 Conviction of women in Sub-Saharan Africa

In Sub Saharan Africa, differently from other regions of the world, women play a significant role as traffickers accounting for 50% of the persons investigated for trafficking, 38% of those prosecuted and 40% of those convicted. The prosecution rate in this region remains very low: only 36% of the persons investigated were prosecuted and only 12% convicted in the court of first instance.

Traffickers and trafficked have almost always the same nationality.

The highest share of children among detected trafficking victims (2014 data) at world level regards Sub-Saharan Africa (64%). According to UNODC two thirds of them are underage. Nigeria in particular reports that 58% of detected victims are children.. The smallest number of trafficked children refers to Eastern Europe and Central Asia (8%), inferring that

⁴⁰²*Attorney General of the Federation v. Kingsley Edegbe*. (Judgement 1 July 2014). Suite N. FHC/ABJ/CS907/2012. Federal Hight Court of Nigeria. Abuja Judicial Division.

sexual exploitation of Romanian, Ukrainian and Albanian nationals could regard more adult women than minors.

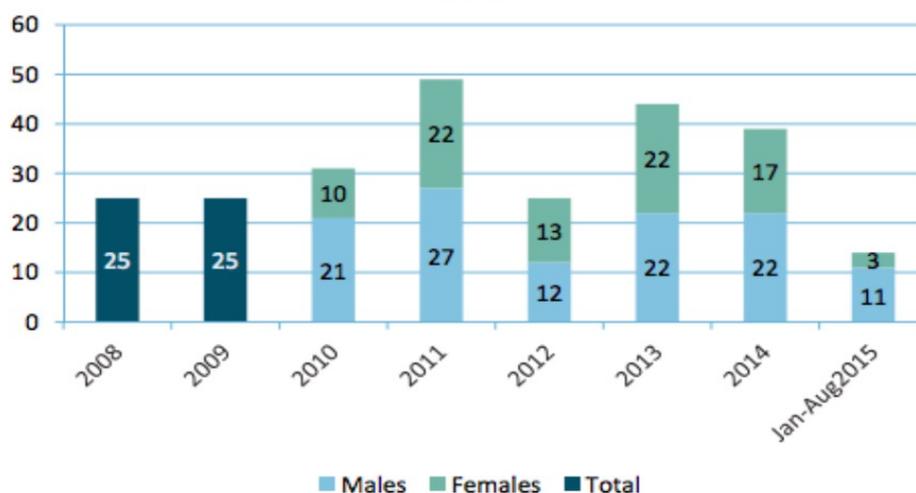
Most traffickers are convicted in their country of citizenship, especially in Sub-Saharan Africa (89%). At world level, 97% of all convicted traffickers serve their sentence in their country of origin. Countries of destination count 54% of foreign offenders.

Women are protagonists either as offenders or as victims of human trafficking. Victims' profile reveal that 66% are women and 23% girls. Men and boys account for 21% totally.

4.19 Convictions in Nigeria

In Edo State in 2016 70% of the reported cases regarded crimes against the person⁴⁰³ and 30% against properties, contrary to the national trend in Nigeria where crimes against the person reach 36% whereas against the properties account for 50% of all crimes.

Number of persons convicted of trafficking in persons, by gender, 2008-August 2015



Source: National Agency for the Prohibition of Traffic in Persons (NAPTIP).

Illustration 36: Convictions by gender in Nigeria Source: Naptip

According to the Nigerian prisons service Edo State has 6 prisons with an inmates population reaching 2352 people (data 2013) out of which only

⁴⁰³National Bureau of Statistics, Nigeria (2016) Crime Statistics. Available at <<http://nigeria.open-dataforafrica.org/search?query=Population%20of%20Nigeria>> [accessed 10 January 2017].

60 are women. This indicates the highest possible level of impunity reigning in Nigeria.

Conviction rates for human trafficking in Nigeria remained very low because “the investigative capacity of law enforcement agencies was limited and largely uncoordinated”⁴⁰⁴.

Trafficking case law: European Court of Human Rights

4.20: ECHR: Case L.E. v. Greece

With Judgement 21 January 2016⁴⁰⁵, the European Court of Human Rights (ECHR) points out the positive obligation of States to promptly prosecute offenders of the crime of HTSE and protect victims. A Nigerian woman victim of trafficking for sexual exploitation appealed the European Court for the late intervention (over 9 months) and inertia of the Greek authorities in prosecuting her traffickers after she had reported them: the first Court hearing by the Greek authorities took place almost 5 years after her denunciation. Greece violated several articles of the European Convention on Human Rights: first and foremost art. 4 on the prohibition of slavery, then art 6 on the right to a fair trial within a reasonable time and art 13 on the right to an effective remedy.

Art 4 of the European Convention of Human Rights is devoted to the prohibition of slavery⁴⁰⁶ without ever mentioning human trafficking. Nevertheless, the ECHR, in its case law, expressively links human trafficking to national migration law⁴⁰⁷ and slavery-like practices.

In 2016, after 16 years from the Palermo Protocol, the ECHR still underlines the necessity to adopt a global approach to trafficking.

⁴⁰⁴USAID (2012) Promising Practices Review Of U.S. Government-Funded Anti-Trafficking In Persons Programs. Available at <http://pdf.usaid.gov/pdf_docs/PDACU465.pdf> [accessed 10 January 2017].

⁴⁰⁵ Case L.E. vs. Greece (Judgement 21 January 2016) Application no.71545/12. European Court of Human Rights.

⁴⁰⁶ European Court of Human Rights (2017) Guide on Article 4 of the European Convention on Human Rights. Prohibition of slavery and forced labour. <http://www.echr.coe.int/Documents/Guide_Art_4_ENG.pdf> [accessed 22 November 2017].

⁴⁰⁷ Original text from the Case L.E. v. Greece, par. 65: “la législation des États sur l’immigration doit répondre aux préoccupations en matière d’incitation et d’aide à la traite ou de tolérance envers celle-ci.” <[https://hudoc.echr.coe.int/eng#{"itemid":\["001-160218"\]}](https://hudoc.echr.coe.int/eng#{)> [accessed 22 November 2017].

D. CONCERNS

4.21 Trafficking: conviction statistics

As we have seen, the crime of human trafficking (C.C. Art. 601) is an extremely complex crime whose punishability is not always straightforward.

Prosecution for the crime of human trafficking at world level remains extremely low though a small improvement has been recorded over the last decade. As of 2007, 32% of the world countries had no prosecutions, 40% had no convictions and 19% of countries with specific legislations had no conviction either.

According to a UNODC study⁴⁰⁸ convictions per year for the offense of trafficking were close to zero until 2007: only 30% of all the countries of the world reported at least 10 convictions (47 countries among which Italy and Nigeria), 17% reported one to ten convictions, and a relevant percentage including many African countries did not have convictions because of the absence of legislation on the specific offence on human trafficking. As of 2014, 30% of the countries convicted between 11 and 50 people per year and no convictions at all regarded only 15% of the world countries. Therefore, overall there has been an improvement at prosecution level.

According to UNODC⁴⁰⁹ 63% of all persons convicted of trafficking are men and 37% are women. Disaggregated data show that in Sub Saharan Africa 50% of persons investigated for trafficking and 42% of those prosecuted are women. As for Western and Southern Europe the share of women is lower: 27% of those investigated and 31% of the prosecuted are women. Among the convicted persons at world level 37% are women with a tendency to increase. In Sub-Saharan Africa this data raises to 45%.

⁴⁰⁸ UNODC (2009) Global Report on Trafficking in Persons. Available at <http://www.unodc.org/documents/Global_Report_on_TIP.pdf> [accessed 20 February 2017] p.9

⁴⁰⁹ UNODC (2016) Global Report on Trafficking in Persons. Available at <http://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf> [accessed 20 February 2017].

A closer analysis of the situation in Western and Southern Europe shows that the major form of exploitation regards sex, that victims are women (56%) and girls (18%) in 74% of the cases and that trafficking for sexual exploitation represents 67% of all the detected victims (30% forced labour and 4% other forms).

4.22 Trafficking crime: the challenge of punishability

In primis we notice that in Italy most judgements don't regard trafficking but smuggling, which the Italian Criminal code defines as facilitation of illegal immigration. The description of this crime in 1998 has been ulteriorly modified in 2002 and acquired popularity under the name of the so-called Bossi-Fini law: T.U. 286/98 was therefore modified by law n. 189/2002. On the one hand, the number of judgements for smuggling shows the preoccupation of the Italian authorities for the sharp immigration increase of the last years. On the other hand, the small number of judgements for trafficking might indicate a lower interest of the same authorities towards a phenomenon that being almost entirely in the hands of foreigners does not have significant impacts on the life of Italian citizens.

Another big obstacle to the punishment of human trafficking is its characteristic of transnationality. Tracking criminals who keep travelling and moving all the time is a very challenging task. I am alluding not only to the journeys throughout Subsaharan and North Africa but also to all the continuous movements of Nigerians both within the Italian territory and throughout Europe. In some cases observed during my fieldwork, traffickers were remotely controlling exploited girls either from another Italian city (very often Catania, Naples and Turin) or even from other European countries where traffickers hold the refugee status (Sweden). The Police Investigation named "Caronte"⁴¹⁰ highlighted the transnational

⁴¹⁰ See Antimafia National Office (2012) Annual Report, p. 220. Available at <http://www.avvisopubblico.it/home/wp-content/uploads/2014/05/DNA_Dicembre-20121.pdf> [Accessed 18 November 2017].

feature of Nigerian human trafficking involving criminal cells present in Niger, Libya, France and Germany. Nigerians' awareness of Europe as a unique entity is much higher than ours. Controlling their mobility and even their movements within Europe became harder since the telephone roaming within the Union was abolished (May/June 2017). Criminals do not need to change sim cards anymore depending on the country.

A third impediment to trafficking punishment is the complexity of investigations due to the lack of collaboration of the Nigerian judiciary and other national authorities with the Italian authorities⁴¹¹. A formal agreement among Italy, Nigeria and Interpol was signed in 2009; it included a training period for Nigerian policemen and the formation of a mixed police force working in the Italian territory. This brilliant idea of a mixed police force has apparently never been put in practice. Again, the detachment between paper and reality is confirmed by actual facts.

A fourth setback is represented by the lack of funds and reliable cultural mediators/translators to conduct accurate investigations such as a broad wiretapping. Nobody wishes to be labeled as a betrayer of his community.

A fifth shortcoming regards the girls' fear of reporting their traffickers as this would be a breach of the voodoo pact besides causing innumerable threats to the girls and her family in Nigeria. Furthermore, a police report would include family members and friends, whom they do not intend to be disloyal to. "She always chose peace over truth"⁴¹²

A sixth hindrance is constituted by the double role of victim and exploiter held by the same person. Being career progression a feature of the Nigerian exploitation chain, it became very common to find victims who are pushed to recruit other girls, making it unrealistic to report a crime which would result in shooting themselves in the foot.

Another shortcoming consists in the legally grounded habit of name

⁴¹¹ See paragraph 4.17 where the case "Attorney General of the Federation and Kingsley Edegbe" is reported: the Nigerian authorities denied the extradition of a Nigerian raffericker to the Netherlands.

See also Antimafia National Board 2012 Annual Report.

⁴¹² Adichie, Americanah.

change in Nigeria, which makes investigations a challenging task: the same citizen can have 2 unrelated passports bearing 2 different names⁴¹³. In 2017 the country has introduced a new kind of passport containing a microchip hoping to solve this pernicious problem. It is very difficult to overcome challenges linked to the huge lack of official data on births (especially in rural areas) and vehicles in Nigeria. The aim of complete national registers containing names and dates of birth as well as of vehicle plates seems still far from being reached⁴¹⁴.

According to Nigerian law wiretaps and other digital recordings cannot be used as judicial evidence in legal proceedings⁴¹⁵

A last but not least problem is constituted by contradictions in victims reports. Reluctance to reveal details are caused by fear of and loyalty to traffickers, lack of trust, memory loss and fear of law enforcement⁴¹⁶. Very often girls are afraid of telling the truth and keep modifying information or mixing truth and lies until they are labeled as unreliable and, if undocumented, are repatriated to Nigeria, which in turns raises the credibility of traffickers in the eye of the girls who are told that contacting the police would mean an immediate repatriation. The relationship with the trafficker is not infrequently characterized by gratitude for having brought the victim out of Nigeria: three girls met in Palermo in June 2015, October 2015 and January 2016 (Precious, Sandra and Happy) manifested this feeling, refusing to report their madams to the authorities. This attitude, confirmed by the Anti-mafia National Office reporting similar findings throughout Italy⁴¹⁷, makes it very difficult for the Courts to indict defendants for the crimes of enslavement described in articles 600 and 601 of our criminal code.

⁴¹³See Antimafia National Office, 2012 Annual Report, p.226.

⁴¹⁴ Ivi, p.172.

⁴¹⁵ Ivi, p.225.

⁴¹⁶ IOM, Direct Assistance for Victims of Trafficking, p.47.

⁴¹⁷ See Antimafia National Office, 2012 Annual Report, p. 359.

4.23 Underage vs adult prostitution

Though law represents a guarantee against abuses, on the other hand it can sometimes be a limitation unable to fight injustices, in particular if we analyze the huge disparity in punishments between exploiters of teenagers above and below the age of 18.

Prosecution presents a striking legal duality. If a "client" pays for a "sex service" with a teenager up to the age of 17 years and 11 months he is severely judged and prosecuted by international as well as by Nigerian and Italian law. The society as a whole blames and stigmatizes him as a coward devoted to pedophilia and child exploitation. As soon as the same girl turns 18, neither the law nor the society as a whole condemns anybody. On the contrary, everything is permitted and labeled as "freedom" of both the capitalist to buy and the disadvantaged to be abused.

Anyhow, considering that Nigerian girls almost always lie on their age, there could be crimes that are punished and categorized as adult instead of child exploitation.

4.24 Waithood

Waithood, a new term recently created by scholars to describe an indefinite period of limbo a young person is stuck in, is applicable to the cases of a number of Nigerian girls who reported their traffickers to the police and were completely abandoned.

The shameful waithood status, currently regarding a huge number of migrants, was strongly denounced by Shahram Khosravi, an Iranian refugee, now professor at the University of Stockholm.

The main victims of waithood are young people who must give up their life projects and indefinitely live in uncertainty and precariousness. The time lost will never come back. In the case of Nigerian girls this is a more challenging issue: going beyond a certain age threshold they will face more difficulties in finding a life partner, becoming mothers, getting a

diploma or acquiring skills.

I am a direct witness of the status of total vacuum in which some Nigerian girls have been left for years by international organizations, the police, the so called safe shelters, and the reception centers.

4.25 Sex crimes

Sex crimes in Italy are punished according to the Criminal Code, article 609. The different collocation of these crimes within the Italian Criminal Code in 1930 and in 1996 gives us an insight into the mentality change occurred in the last 20 years. Up to 1930, sexual crimes were categorized under chapter IX dedicated to crime against public morality and common decency. In 1996 the crime is transferred to chapter XII dedicated to crimes against the person, the gravest of all.

This shift is of paramount importance as it points to a change in the way sex offenses are culturally seen by society. From the public sphere, or common decency, sexual crimes move to the private sphere, and become individualized.

The reciprocal influence between law and culture are undeniable. Laws drive cultural change as much as cultural change drives adoption of new laws, more respondent to the needs of a specific historical moment. As Sweden has demonstrated a radical change in men's attitude towards prostitution was driven by the adoption of the Sex Purchase Act criminalizing the client.

4.26 Buyer's criminalization in Italy: the case of Firenze

The mayor of Florence, inspired by the Swedish Sex Purchase Act, issued a 6-month ordinance to sanction sex buyers in September 2017. His reply to the complaints regarding the lack of privacy for the buyers who are sent home a 200-euro fine (and risk a 3-month jail penalty) has been: "We owe a maximum respect for privacy. But when there is a crime, should we still protect the husband's privacy? In many of these situations we face dissolution of human rights and woman's dignity. Before worrying about the right to privacy of a person who searches for a 15-year old little

CHAPTER 5

PROTECTION

“There was a certain luxury to charity that she could not identify with and did not have. To take "charity" for granted, to revel in this charity towards people whom one did not know—perhaps it came from having had a yesterday and having today and expecting to have tomorrow. She envied them this. Ifemelu wanted, suddenly and desperately, to be from the country of people who gave and not those who received, to be one of those who had and could therefore bask in the grace of having given. To be among those who could afford copious pity and empathy.”

Chimamanda Ngozi Adichie, Americanah

Introduction

Protection of victims is currently subordinated to prosecution of criminals⁴²⁰. Punishing is the top international and national priority, probably much easier to achieve. Criminals get much more attention and energy from public institutions than victims, creating a situation of institutional violence. The most difficult part, rehabilitation and reintegration is often neglected, and once Nigerian prostituted girls have been squeezed in order to reach investigative purposes, they are very often abandoned by public institutions or even repatriated. Once again, they are used and thrown away.

Efficient protection strategies addressing victims of HTSE are of paramount importance and, despite the efforts made so far by

⁴²⁰ Source: Meeting with prof. Alessandro Spina, School of Law, University of Palermo.

intergovernmental (UN affiliated such as UNODC and IOM), governmental (States) and non-governmental and civil society organizations (NGOs and CSOs), results are still very limited in terms of number of victims who:

- 1) are reached,
- 2) receive adequate support and
- 3) successfully complete a social inclusion path.

Empirical evidence shows that the ratio between money invested and results obtained is absolutely imbalanced. Once more, mismanagement of both public and private funds forges a proliferating yet inefficient “rescue industry”, as Ekman and Agustin rightly label it.

Weaknesses of current interventions can be pinpointed in all steps of the protection strategies stemming from identification of victims to referral mechanisms, proper assistance and reintegration.

In the range of protection measures we often find repatriation, presented as a successful procedure even when imposed to the victim against her own will.

A. LEGAL FRAMEWORK: INSTRUMENTS FOR VICTIMS

5.1 International LF: Palermo Protocol

The 2000 Palermo Protocol dedicates 2 articles to protection (art. 6) and repatriation (art.8) of victims of trafficking.

Art 6 recommends full assistance to victims of trafficking with the aim of physical, psychological and social rehabilitation. Moreover, it urges the States to guarantee, in collaboration with NGOs and civil society organizations, physical safety, “appropriate housing”, counseling on their legal rights in a language that is comprehensible to the victim, “employment, educational and training opportunities”, and, finally, “the possibility of obtaining compensation for damage suffered”.

Aiming at the safety of the person, art.8 invites the States to facilitate repatriation of victims, which “shall preferably be voluntarily”.

5.2 European LF: CoE Convention 2005

The CoE Convention of 2005 on Action against Trafficking in Human Beings innovates the Protocol by encouraging States to provide the victims with assistance independently from their willingness to report their traffickers to the police and to collaborate with enforcing authorities.

Ascribable to the same Convention is the set-up of GRETA, a monitoring system evaluating to which extent the Parties are implementing measures contained in the Convention itself.

In the light of the new European dimension of exploitation linked to the XXIst century migration wave, the Council of Europe strongly intervened in 2005 to guarantee protection and assistance of human beings ended up in the trafficking trap. Since then, the COE Convention on Action against Trafficking in Human Beings becomes the milestone on which designing new laws and establishing new measures to discourage the demand which stands at the origin of exploitation and is defined as "the root cause".

Moreover, it outlines the importance of setting preventive educational measures stressing "the unacceptable nature of discrimination based on sex, and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being" (Art.6d).

The Convention sets out the necessity for member states to offer victims a one-month-minimum "reflection period" aiming at giving them the opportunity to take a distance from exploiters' influence and "to take an informed decision on cooperating with the competent authorities" (Art 13.1). During this period, the person cannot be repatriated.

European countries have incorporated these provisions in their national legal system in heterogeneous ways.

Directive 2011/36/EU of the EU Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, replacing Council Framework Decision 2002/629/JHA, encourages

States to apply protection measures in favor of victims of trafficking. In particular, it suggests to implement a set of measures which are indispensable to allow the victim to escape from her trafficker and to pay special attention to underage, and therefore more vulnerable, people.

The most important measure proposed regards the release of a permit of stay "for social protection". Protection is to be put into practice by not criminalizing the victim⁴²¹ and by granting support independently from the willingness of the victim to participate in investigations. Furthermore, the Directive invite member States to adopt appropriate measures on housing, medical treatment, psychological counseling, interpretation services and to attend victims with special needs (pregnant women, traumatised people). Art 12 provides indications on protection of victims in criminal proceedings to avoid re-victimization processes caused by multiple and unnecessary hearings where the victim has to repeat her story over and over.

5.3 Italy: A pioneer country in short and long term protection

Italy' law-making efforts in supporting human trafficked women mainly consists in article 13 of the 228/03 law and art 18 of the "Testo Unico sull'Immigrazione" providing respectively short and long term protection to victims of trafficking. Upon agreement of the local police headquarters, Italy offers both assistance and resident permits for reasons of social protection.

5.3.1 Art 13.

Art 13 of Italian Law 228/2003 titled "Measures against Human Trafficking" establishes a special first aid and a short term program to assist recognized victims of crimes, as part of art 600 and 601 of the Criminal Code. Specifically, this article includes provisions on a 3-month (extendable to other 3 months) emergency accommodation in secret

⁴²¹ Art 8:"Member States shall, in accordance with the basic principles of their legal systems, take the necessary measures to ensure that competent national authorities are entitled not to prosecute or impose penalties on victims of human trafficking for their involvement in criminal activities which they have been compelled to commit as a direct consequence of being subjected to any of the offences referred to in Article 2 of the Directive ".

addresses along with psychological and physical health assistance.

5.3.2 Art 18

Art 18 of the Immigration Law, D.Lgs. 286/98 which inspired the CoE Convention on Trafficking as for the reflection period part (Brunovskis 2012)⁴²², represents one of the most advanced worldwide conceptions in theoretical and jurisprudential terms and the main national legal instrument of protection for human trafficked victims. With respect to this article of law, Italy is a pioneer and on paper offers the most human-rights oriented answer to human trafficking, even in comparison to Scandinavian legal systems. It is a long term assistance program whose precondition is the imminence of a severe danger; it is not limited as art 13 to emergency measures but grants a 6-month permit of stay extendable up to the ceiling of 18 months, during which educational activities are provided with the aim of socio-occupational integration. At the end of the period, the permit of stay granted by Art 18 can be converted into an initial 2-year work or study permit.

The innovative feature of Art 18 consists in the possibility of choosing one or both options to be admitted to rehabilitation programs: the judicial and/or social path.

While access to the judicial path is granted when victims report offenders to the enforcing authorities, access to the social path, and therefore to assistance and residence permits is always possible in Italy, whether or not victims are willing to file a case. The Italian legislation is absolutely the most favorable to the victims and a unique case.

The logics to remove the obligation of a police report lies in the intention to first build trust through the social path so that victims would decide to collaborate with investigators and therefore start a judicial path too.

In praxis, this article of law is often eluded as granting access to the social

⁴²² Brunovskis, A.(2012). *Balancing protection and prosecution in anti-trafficking policies*, Nordic Council of Ministers, p.42. Available at <<http://www.diva-portal.org/smash/get/diva2:701729/FULLTEXT01.pdf>> [accessed 22 November 2017].

path has become discretionary and highly dependent on the local enforcing authorities view.

In Denmark and Sweden, there is no social path, therefore victims are kept in the country and given a residence permit which is instrumental to investigations

5.4 Nigerian LF

Making an exception to Section 25 of the Trafficking in Persons Act⁴²³, Nigerian law does not criminalize identified victims of trafficking even when they committed unlawful acts.

The same Act contains provisions on the treatment of trafficked persons whose identity and family will be protected⁴²⁴ will not be "subjected to discriminatory treatment in practice on account of race, color, gender, sex, age, language, religion, political or other opinion, cultural beliefs or practices, national ethnic or social origin, property, birth or other status, including his status as a victim of trafficking or having worked in the sex industry"⁴²⁵. Victims shall not be either detained or prosecuted⁴²⁶ and are "entitled to compensation restitution and recovery for economic, physical and psychological damages to be met from the assets if any of the convicted trafficker forfeited and paid to the Victims of Trafficking Trust Fund" ⁴²⁷.

A Victims of Trafficking Trust Fund has been set up by Nigeria in order to support both returnees and local victims. The Fund's main source of financing is the confiscation of traffickers' assets and properties according to Sections 36 and 37 of the Trafficking in Persons Act.

A US Report on the (lack of) protection of trafficking victims gives out a very negative feedback on the level of protection granted by State to its victimized citizens: at least one Nigerian embassy "required trafficking victims to pay for passport reissuance fees—as many victims had received

⁴²³ See Chapter IV paragraph A.4 pag .249

⁴²⁴ Trafficking in Persons Act, Section 50 G and J

⁴²⁵ Ivi, Section 50 A.

⁴²⁶ Ivi, Section 51.

⁴²⁷ Ivi, Section 52 B.

falsified passports from traffickers or had their passports stolen—and prove their citizenship with documentation victims often did not have, such as a birth certificate or old passport number, which caused delays in repatriation”.⁴²⁸

B. INSTITUTIONAL/ POLICY FRAMEWORK

5.5 International Institutional Framework: UN (in)coherence

The UN, funded with the best intentions to implement an overall human rights approach to the after-war era, is not exempted from contradictions regarding human trafficking and prostitution. Its inconsistency might show that the law of the jungle and the supremacy of the strongest are still prevailing, as the existence of the veto power clearly highlights. On one side it invents and gives institutional legitimization to sexual exploitation (ILO) coining the economic sector of “sex work”, on the other side it studies and produces reports on drug and crime giving advices and “support” to countries considered more vulnerable to criminality (UNODC) and it incorporates other international organizations serving anti-immigration Western purposes (such as “assisted repatriation”) with the appearance of humanitarian work (IOM).

5.6 International Institutional Framework: IOM

IOM, the International Organization for Migration, very recently become part of the UN system in September 2016, is the main institution in charge of protection of victims and potential victims of human trafficking. Its main responsibilities consist in the screening of victims, referral and reintegration assistance and cooperation with law enforcement agencies. IOM personnel is present at Italian ports upon disembarkations of migrants and is called by reception centers whenever they envisage likely cases of trafficking. The organization is not present in the streets where the girls are exploited and, as IOM operators affirmed, their responsibility regards ports and reception centers. Girls who are in trouble and are already exploited in the streets have a chance to receive help only if they manage to keep the number that IOM operators provided them with

⁴²⁸ US Government, 2017 Trafficking in Persons Report.

at reception centers or at the port.

The solution IOM proposes to immigrants in Europe is assisted repatriation: this is the reason why very few Nigerian girls would ask for IOM's support.

5.7 International: UNODC

UNODC established the UN Voluntary Trust Fund for Victims of Trafficking in Persons which offers financial support to small projects of NGOs dealing with human trafficking. In the last years it funded 2 Nigerian NGOs such as the "Women Trafficking and Child Labour Eradication Foundation" and the "African Center for Advocacy and Human Development".

As in most international cooperation projects, money reaches victims in the form of general assistance (food, shelter, legal advice) but not of direct compensation.

5.8 States liability: Italy and Nigeria (a peer scenario?)

Italy is a G8 country while Nigeria, according to UNIDO, is a lower middle income country. Hence, two crosscutting subjects should receive attention and be included in our research: poverty and economic inequality. Considering that Italy possesses 4.34%, whereas Nigeria 0.07% of the share of world wealth⁴²⁹, the liability portion should probably be pondered accordingly.

5.9 Protection Policies in Italy

The 2016 Italian Anti-trafficking National Plan proved to be ineffective albeit the highest expectations. In the same year, 2016, the funds supposed to be allocated for human trafficking victims have been cut by the Government

5.10 Protection Policies in Nigeria: NAPTIP

NAPTIP is the governmental institution designated to support victims of trafficking. Nonetheless, few Nigerians are aware of its existence. As UNODC reports that "46% 8 respondents have no idea of what the

⁴²⁹ National Bureau of Economic Research (2008) *List of countries by distribution of wealth*. Working Paper

acronym "NAPTIP" stands for. Ironically, even in the FCT where NAPTIP is headquartered, respondents polled in Bwari and Kuje Area Councils have very limited knowledge of NAPTIP and its activities"⁴³⁰. An observation by one of the respondents of UNODC research regards the fact that NAPTIP is mainly known in urban areas and much less in rural areas, which is where its intervention would be more needed⁴³¹.

Beside prosecution and prevention, NAPTIP's mandate includes the protection, assistance and rehabilitation of victims of human trafficking. It coordinates international efforts aiming at supporting returnees who are back to Nigeria either following deportation or voluntarily returns.

Victims care by NAPTIP seems to be still in need of improvement as confirmed by UK Tribunals, deeming protection measures provided by the Agency inadequate.

Shelters managed by NAPTIP are 9 across the country and host victims for a very short period: from 2 weeks to 1 month. They do not accept:

- mothers with babies;
- children over the age of 8 unless they are trafficked;
- orphans.

No medical or mental counseling is offered and facilities are minimal. Personnel is not trained in trafficked-related trauma. It seems that in a shelter even electricity has been cut off for some time.

In NAPTIP-run shelters guests are very restricted in their movements. The training courses offered to trafficked girls are not apt to develop income-generating activities. These shelters, very similarly to other shelters located in the province of Palermo, function only as boarding houses and "inmates do nothing and simply sit around all day"⁴³².

⁴³⁰UNODC, NAPTIP, NIS (2012) *Knowledge, Attitudes and Perceptions on Trafficking in Persons and Smuggling of Migrants in Nigeria - A Baseline Survey*. EU/UNODC project "Promoting Better Management of Migration in Nigeria by Combating and Reducing Irregular Migration that occurs, inter alia, through Trafficking in Persons (TIP) and Smuggling of Migrants (SOM)" - NGA X41. p.21
<https://www.unodc.org/documents/nigeria/Grants_Applications/Baseline_Assesment_on_Knowledge_Attitude_and_Perception_of_TIP_and_SOM_3.pdf>

⁴³¹ Ivi p.53

⁴³² UK Tribunal Decision - Asylum and Immigration Tribunal (Trafficked Women) Nigeria CG [2009] UKAIT 00046
<https://tribunalsdecisions.service.gov.uk/utiac/2009-ukait-46>

As reported by both a UK Tribunal and my key informants⁴³³, NAPTIP's support is so poor that many girls end up escaping from shelters, perceived as useless places of "waithood" without any planning.

5.11 The institution of asylum

The main international legal instrument at the victims' disposal to get a residence permit in Europe is international protection, which is subdivided into different categories depending on the nature of the asylum.

The roots of the right of asylum date back to the Egyptian, Greek, Hebrew and Roman ancient civilizations.

The current international regulatory framework on asylum is based on 2 milestones:

1. The 1948 Universal Declaration of Human Rights, art. 14:

"Everyone has the right to seek and to enjoy in other countries asylum from persecution"

2. The Geneva Convention of 28 July 1951 on the Status of Refugees, which establishes at art 33 the non-refoulement principle and defines in Art 1 the refugee as a person who

"owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it".

The EU Charter of Fundamental Rights in art.18 and 19 reflects these concepts.

"Article 18 - Right to asylum

⁴³³ Precious and Cynthia, Nigerian girls resident in Agrigento and forced to indoor prostitution, stated on 9/4/2015 that the Nigerian Government's shelters would be comparable to detention centers.

The right to asylum shall be guaranteed with due respect for the rules of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty establishing the European Community.

Article 19 - Protection in the event of removal, expulsion or extradition

1. Collective expulsions are prohibited.
2. No one may be removed, expelled or extradited to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment”.

The Italian Constitution in art 10 declares its openness as a hosting country for refugees:

“The legal status of foreigners is regulated by law in conformity with international norms and treaties. The foreigner who is denied in his own country the effective exercise of the democratic liberties guaranteed by the Italian Constitution has the right of asylum in the territory of the Republic, in accordance with the conditions established by law”.

5.12 Asylum in Italy

The largest number of asylum seekers in Italy currently is and has been in the last years composed by those coming from Nigeria.

According to Eurostat data, referred to the 2nd quarter of 2017, Nigeria is confirmed again as as one of the 3 top nationalities seeking asylum in the European Union with Italy being chosen by 70% of Nigerian migrants. This information is very relevant because once again it places Italy in the first position as a destination country for Nigerians. All other migrants, on the contrary choose European countries able to offer much better living conditions. Perhaps the high level of impunity, along with the possibility of easily working in illegal circuits, is the main pull factor attracting such a huge number of Nigerians to Italy.

In 2015, out of 22.237 Nigerians disembarked in Europe, 17.895

sought asylum in Italy (80% of the total). Therefore, it is clear that most Nigerians plan to seek international protection in Italy. The decisions taken in 2015 by the Italian Territorial Commissions for Asylum were 11.340:

8.385 negative decisions (74%) and

2.955 positive decisions (26%).

Most positive decisions (almost 6 in 10) end up with a one-year permit of stay (humanitarian protection). Disaggregated data are the following:

1.725 humanitarian protection (58%)

720 subsidiary protection (24%)

510 refugee status (17%).

The refugee status, granting a 5-year permit of stay in Italy, offers also the possibility of naturalization after only 5 years of residence.

According to Eurostat, besides representing the top country of origin of migrants arrived in Italy in 2016, Nigeria has also the biggest group of female asylum seekers in our country: 40% of all migrant women. Nigerians trafficked in Italy have been often recognized the refugee/international protection status, differently from other European countries.

It is noteworthy highlighting that Italian Legislative Decree No. 142/2015 has added victims of human trafficking and of female genital mutilation, as well as persons affected by serious illness or mental disorders, to the list of "vulnerable persons" who have the right to access international protection.

The institution of asylum is in most cases instrumental to the exploitation business. An investigation to find madams could start by having the Nigerian women refugees holders tailed for a few days.

Getting asylum or other kinds of international protection is quite hard for Nigerians and the acceptance rate is very low in comparison with the huge number of requests. Nevertheless, being entitled to international protection is not the main concern. The aim is rather to possess a piece of

paper (the asylum request) which grants exploited girls the possibility to legally stay in Italy. The purpose of asylum, supposed to be *in primis* protection, has been totally twisted. This legal instrument is routinely utilized by traffickers in order to legalize the presence of girls in the Italian territory and exploit them more easily. If girls were found undocumented by the police, they would be easily repatriated, and this would be a huge loss and an unsuccessful investment for exploiters. Having well studied the gaps and slowness of bureaucratic procedures, the traffickers understood that indeed the asylum request is the best way to put a girl in the street from the very first day of her arrival given that the request itself gives the right of legal residence until the whole process including the audition, the first decision of the Territorial Commission and the following appeals in case of rejection is concluded. This whole procedure usually takes years to be despatched.

Many dishonest Italian lawyers lend themselves to the traffickers' game by inventing false but plausible life stories matching the asylum requisites and make the girls learn them by heart.

5.13 Asylum in Sweden and Denmark

In Sweden and Denmark, Nigerian victims of human trafficking are considered as illegal residents because of their unauthorized entry and irregular migration status.

They are not eligible for asylum which may only be requested, according to Dublin Regulations, in the first EU country of arrival, which, in the Nigerian case, is Italy.

Moreover, these two Nordic governments are convinced that victims of human trafficking as such are not entitled to international protection unless other serious elements (i.e. persecution) emerge. If they open up the interpretation of the right of asylum to a case of trafficking, the number of refugees would raise in an unforeseeable way. Currently, some Swedish groups are lobbying for the concession of the refugee status to

trafficked girls but this still remains a much debated issue.

Technically speaking, both the international law on asylum and on search and rescue at sea were not intended to serve the purpose they are currently serving. Asylum had been conceived to mainly protect people escaping wars and persecution and SAR at sea had been formulated to succor boats which were experiencing unforeseen difficulties. A literal interpretation of the laws would exclude both the possibility of conceding asylum to victims of trafficking and of rescuing boats put on purpose by traffickers in the sea without the indispensable means to reach the intended destination.

C. THE RIGHT TO EXIT PROSTITUTION

Tools to Exit

5.14 Outreach Activities

The most important phase in getting out of the exploitation racket is to break the wall of fear and social isolation and build relationships of trust with someone who is not part of the racket: this is the role of the Outreach Units. Without someone launching a lifebelt, it is very improbable that girls take initiatives that would challenge both the power of juju and of their exploiters by soliciting the intervention of the police. Resorting to law enforcement autonomously is a very rare event. The negative image attributed to the police is due to both a mental association with the Nigerian police which is very corrupted, and to the misleading information on law enforcement given by the traffickers.

As an Italian research on Sicily confirms⁴³⁴, the main way prostituted women get in contact with social protection projects is the Mobile Outreach Unit on the road (78%). All other connection modes have very

⁴³⁴ Serughetti, G, *Immigrazione tratta e prostituzione in Sicilia* in Candia G. and Garreffa Franca (2011) *Migrazioni, tratta e sfruttamento sessuale in Sicilia e Calabria*. Milan: Franco Angeli. p.31-41

negligible results: NGOs (4,5%), Police (3%), Toll Free Number (2,4%).

Contact Points	Number of Victims entering social protection projects (2006)
Street Units	257
Toll-Free National Number	8
Local Institutions	22
NGOs	15
Enforcement authorities	10
Clients and/or friends of victims	1
Colleagues of victims	2
Autonomously	11
Other	1
Total	327

Illustr. 37: How victims of trafficking reach social protection projects⁴³⁵

In Italy, the apparent lack of funds for Outreach Units is probably due to an incomplete understanding of the exploitation phenomenon. Most funds are indeed allocated to shelters, which instead constitute a second step in the exit strategy.

5.15 The mobile outreach unit in Palermo

“Someone might say that institutions should take care of it; in the meantime, we act, so that our action becomes also a protest⁴³⁶”

Two mobile outreach units for Nigerian girls run by Croce Rossa and Progetto Maddalena, whose functioning depended on public funding and was therefore intermittent, have operated in Palermo in the recent past for short periods.

The only Mobile Outreach Unit (MOU) for Nigerian girls in Palermo which has been continuously working for several years without any financial support was set up by an Italian Combonian nun, Valeria Gandini, who has been a pioneer in Italy in the field of outreach of exploited Nigerian girls.

⁴³⁵ Ibidem. Translation of table “avviso 7” p. 39.

⁴³⁶ Original text: “Qualcuno potrebbe dire che dovrebbero pensarci le istituzioni; noi intanto agiamo, così il nostro agire diventa anche protesta”, Father Pino Puglisi, priest from Palermo, killed by mafia in 1993

Replicating the work already done in Verona, she set up a MOU in Palermo. Being currently based in Ballarò (migrants ghetto of Palermo) and having lived in African countries for a long time, gave her familiarity with the world of marginalization and migration.

Her permanent team does not have affiliations of any kind and is entirely composed by volunteers: herself, two "street priests" working respectively in Ballarò and in the main prison of Palermo, namely Pagliarelli, a retired police officer, a former Emergency staff and a PhD student. Women presence always overcome men presence in order to let the Nigerian girls feel always comfortable.

The MOU, which has mapped the presence of Nigerian girls in Palermo, meets them twice a week: once in the morning and once at night. The main objective is to build a relationship of proximity, trust and confidence with the girls and to support them in their requests, stemming from simple friendship to legal advice and health emergency and prostitution exiting strategies.

For many girls the MOU has become the only trustworthy presence in their life. It breaks their social isolation and stigma and helps eliminating prejudices towards the white, always associated with final exploiters.

The presence of Catholic priests or Christian ministers is very much welcomed by the girls who strongly believe in the power of the supernatural as we can observe in the case of juju.

5.16 Toll-free numbers: between theory and reality

With the aim of giving help and support to exploited people, Italy set up in the year 2000 a toll-free number ("numero verde"), 800 290 290, whose official website, exclusively in Italian language, is <http://www.numeroverdeantitratta.org/>. The number guarantees anonymity, is active 24 hours and phone operators would answer in different languages stemming from English and Spanish to an unidentified "Nigerian" language (Nigeria counts on the presence of 521 languages)

mentioned in the site. The main target group includes underage and adult trafficked people whose condition perfectly fulfill the conditions stated in articles 13 and 18 of Law 228/03. A help request can have different outcomes:

1. The reported case matches articles 13 or 18 and is formally accepted. The fact that it has been accepted does not mean that there will be an immediate follow-up. This will depend on the availability of places in shelters present in the local territory, which, in the year 2016 equaled almost zero in Sicily. The person is told that she will be recontacted in an undefined time
2. The reported case does not match any of the above-mentioned articles. In this case no intervention or arrangement follows. Other than these two articles, people are just left without any support.

The national toll-free number headquarters are currently in Venice because of an agreement between the Department for Equal Opportunities and the Venice Municipality: a total of 7 operators answer phone calls, often taking the caller's number and promising to call back whenever their attempt to divert calls to regional partners is unsuccessful.

It is of paramount importance to understand that the toll-free number is ultimately managed regionally: this explains the success rate and efficiency in some regions (mainly located in the north of Italy) and the limited outcome in others (mainly in the south of the country).

Another phone service, totally unknown to migrants, is the 114 labeled as "Emergenza Infanzia" or Child Helpline, which is a children-oriented service provided thanks to fundings of the Equal Opportunities Department. Likewise, this number is supposed to provide support information and advice to underage people experiencing abuses and exploitation. It has a smartphone application with the possibility to chat

with operators.

5.17 Reflection period

The UN Palermo Protocol includes a provision on the so-called reflection period aiming at cooperation to the investigations and at protection; its duration cannot be less than a month. In both Sweden and Denmark the one-month strict initial option is adopted, whereas in Italy it goes up to 6 months (ex Art 18).

Following the 30-days period, Nigerian victims of trafficking in Sweden are entitled to an extended residence permit of 6 months with the precise aim of cooperating with the police; in Denmark instead a stricter policy extends the permit to a maximum of 70 more days which is granted as “postponement of departure”, having as a final objective repatriation.

According to the Danish authorities the reflection period, called precisely “prepared return”, intends to stimulate cooperation of victims for a permanent dislocation to their country of origin. That is why the “rescue Program” offered by the Centre against Human Trafficking of Copenhagen might not sound attractive to Nigerian girls whose main objective is to remain in Europe. Whereas some of them regularly go to the Center to get medical advice and find a warm and friendly place, very few ask for help, which in other words would mean asking for repatriation. A number of girls escape from shelters before completing the 30-days reflection period. The reflection period results hence a contradictory moment in which balancing protection and prosecution still remains a challenging task for European countries.

Sheltering or rescue industry?

5.18 Anti-trafficking NGOS in Nigeria

In May 2017, Naptip has reported the proliferation of questionable NGOs-run “illegal” shelters for rescued victims of trafficking.

The Director of the Agency reports a new interest by many CSOs in

Palermo who tried to start a new life in these last few years were hosted in different shelters from which they systematically flew; in some cases “inexplicably” they got pregnant during their stay.

The gap at national level among shelters cannot anyhow go unobserved. During my research I had the chance to know some shelters across Italy, such as the one located in Ascoli and managed by a group of Spanish nuns. The victims of trafficking hosted there don't need and don't want to escape, but follow a precise and individualized 18-month project during which they are trained and taken care of by ethnopsychiatrists, doctors, teachers, social workers, interpreters. Contrary to what happens in “our” shelters, girls who end their project in Ascoli get a job and remain in close contact with the shelter, seen as the family they have never had.

A shortcoming of Sicilian shelters is also linked to the non-acceptance of girls until the funding of their stay has been clearly confirmed by public authorities.

Ascoli's shelter, along with APG23 and other non-Sicilian centers, instead, immediately host girls regardless of public funding. Availability of funds is often claimed as the reason for such an efficiency gap. Probably, it would be better to close some shelters and fund only those whose work brings permanent results. It would avoid many more problems.

Indeed, a negative experience followed by an escape from shelters worsens the condition of girls by putting them in a much more dangerous and difficult personal situation: they end up in a deeper tunnel from where they can be hardly taken out. They will be punished by the madam. They will permanently lose trust in the “rescue industry” also discrediting with their fellow Nigerians the public and private institutions devoted to support victims. The work and credibility of Mobile Units will get neutralized and it will be like putting water into a leaky bucket.

Moreover, it seems that there is a scarce or absent monitoring of these shelters by public authorities.

Therefore, intervening without having a solid infrastructure in terms of buildings and especially human resources can be not only pointless but even deleterious.

Best practices in protection

5.24 Anti-trafficking institutions in Northern Europe

Anti-trafficking Units have been created in many Nordic countries such as Sweden and Denmark with the objective of assisting prostituted women. These institutions are public: the serious issue of human trafficking is not delegated to NGOs as it is the case in Italy which has often become the kingdom of private interests even in the humanitarian field.

The Swedish innovation, brought about by the Sex Purchase Act, in particular regards the creation of Units in the 3 main cities (Stockholm, Gotheborg, Malmo) supporting both the prostituted women and the sex buyers. While women are given legal advice, healthcare, shelter (delegated to associations or NGOs) and vocational training, men are given psychological support to help them undercover problems leading them to compensate with sex for payment. Qualified operators are either specialized in men sex-dependence or in women's trafficking.

These units, belonging to the Ministry of Gender Equality, work in close cooperation with law enforcement authorities, reducing time-consuming bureaucracy and re-victimization of the prostituted who, in Italy, find themselves in the situation of having to tell their painful stories many times to unit operators, policemen and shelter's psychologists. The positive outcome consists also in the elimination of the defensive barrier they erect with the police.

Differently from Italy, Sweden, through these Units spread in its main cities, is proactively searching the prostituted women either by directly meeting them through an outreach team or by making phone calls to the numbers advertised in the prostitution network. The public support given by Italy consists instead in a toll-free number almost nobody is aware of

and which results unreachable from Lyca sim cards, the most popular in the Nigerian community. Proactive work is left to the good will of volunteers or to the occasional and temporary funding of NGOs Outreach Unit, while the State sits and waits for the fortunate event of an exploited girl reaching a police station.

Sweden is very proactive also in prevention activities, carried out by the same Anti-Trafficking Units whereas Italy delegates all prevention work to private entities such as NGOs.

Denmark, though not as organized as Sweden with regard to the double support to both sex buyers and prostituted women, is able to offer specialized assistance through public Anti-trafficking Units strategically located in the red light districts. In Copenhagen the Danish Anti-Trafficking Center (strictly linked to the Department for Gender Equality) welcomes any prostituted woman in need of health support, legal advice, food, clothes and above all friendship; it has been excellently set up at the prostituted women's working place and its opening time is made to coincide with their working time: finding someone who can help during night time encourages girls to enter and receive support.

Compensation

5.25 Compensation in Italy

The Italian national legal system, in Legislative Decree n.24 of 4/3//2014 partially transposed both EU Council Framework Decision 2001/220/JHA, which "establishes a set of victims' rights in criminal proceedings, including the right to protection and compensation" and, more recently, European Directive 2011/36EU which "recognizes the gender-specific phenomenon of trafficking", explicitly mentioning the status of vulnerability of victims and the irrelevance of consent in presence of coercion, outlining also the non-punishability of victims and urging Member States to "seize and confiscate instrumentalities and proceeds

from the offences”.

To date, the cases of recognition of damage compensation to trafficked victims are a very limited number in Italy and the national decree above-mentioned quantifies compensation only in 1,500 euro per person to be granted by the Fund for victims of human trafficking.

The first historical jurisprudential recognition of the right to compensation at Italian national level dates back to 2012, marking a big victory by one of the best NGOs dealing with trafficking, namely On the road and Be Free that managed to obtain by the Tribunal of L'Aquila a compensation of 50,000 Euros each for 17 Nigerian victims, exploited in 2 Italian Regions -Marche and Abruzzo- at the end of the investigation known as Sahel operation started in 2007 and lasted 4 years. This judgement included also the confiscation of offenders' properties that were then transferred to victims and associations instead of the State.

Two years later, in 2014, we find the second most emblematic judgement, issued by the Tribunal of Bologna, which recognized the highest compensation ever to a Nigerian victim of human trafficking: 100,000.00 euro.

Apart from the exiguous number of compensations, totally 18 in the whole country, the biggest problems of victims remains access to justice and re-victimization.

5.26 Compensation in Nigeria

2003 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act⁴³⁹ (amended in 2005) Section 52. Right to institute civil action A trafficked person, irrespective of his immigration status- (a) has the right to institute civil action against a trafficker and any other person including a public officer who has exploited or abused him; and (b) is entitled to compensation, restitution and recovery for economic, physical and psychological damages to be met from the assets if any of

⁴³⁹ Trafficking Act <<http://lawsofnigeria.placng.org/laws/T23.pdf>> [accessed 27 May 2017].

the convicted trafficker forfeited and paid to the Victims of Trafficking Trust Fund. [2005 No. 28.] 53

5.27 Compensation in Sweden

Victims of human trafficking in Sweden can claim state compensation to the Crime Victim Compensation and Support Authority (CVCSA) whenever the trafficker's resources are insufficient or he/she is not identifiable. CVCSA's minimum and maximum compensation have to date reached 8,200 and 33,400 respectively euros per person⁴⁴⁰.

Repatriation

5.28 Repatriation: a comparative analysis

According to UNODC Global report on TIP 2016, the highest percentage of repatriation of victims trafficked to other regions regards Sub Saharan Africa which accounts for 57%

In Italy repatriation of Nigerians is currently made on a nationality basis. A communication of the Ministry of Interior, dated January 2017, indicates the requisites for expulsion: Nigerian nationality and illegal residence on national territory. All Nigerian women not legally resident are sent to the Ponte Galeria CIE⁴⁴¹ in Rome, from where they will finally fly back to Nigeria.

Denmark has the strictest repatriation system compared to other European countries. Indeed, return of trafficking victims to their country is the main issue at stake in the Danish case; hence, the reflection period does not aim at the victim's cooperation in police investigations or protection, as it is the case in Italy or Sweden.

It is worth mentioning that Denmark, as well as the UK, opted out the EU Directive on residence permits for trafficked victims.

⁴⁴⁰Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA and Committee of the Parties), COMPENDIUM of good practices on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

⁴⁴¹ Centro Identificazione ed Espulsione= Identification and Expulsion Center

Both the Swedish and Danish system, in accordance with IOM, provide for repatriation to either Nigeria or Italy as per Dublin regulations.

Nigeria is chosen in the quality of country of origin, whereas Italy in the quality of either first EU country of arrival or country of residence.

The Swedish NGO called Noomi explains that many of the Nigerian trafficked women possess a residence permit in Italy but move to Nordic countries for some time for the higher revenues they are able to get.

According to both the Danish Anti-Trafficking Authority and the Swedish NGO Noomi, even after expulsion to Italy, Nigerians travel back to Denmark the following week.

Having had the golden chance to meet some Nigerian girls at the Anti-Trafficking Center of Copenhagen I asked them some questions in Italian language, which they all speak having been exploited in Italy for a long time before reaching Northern Europe. When asked why she was working in Denmark, a Nigerian girl called Sonia⁴⁴² possessing an Italian permit of stay and undocumented in Denmark, replied this way:

“I have no choice. This is the work they want me to do and this is the place they want me to be. My Madam is in Turin”

Many Nigerian girls exploited in Copenhagen in the area of the Train Station refer of weekly trips back and forth through Europe (Germany, Holland, Norway, Belgium, Spain, Italy) in order not to be localized by the national police of European countries and thus avoid repatriation to Nigeria. The option of relocation to Italy saves them from the risk of deportation to their country.

All the studies and conclusions by the Danish researcher Sine Plambech have as a focus and starting point repatriation. She reflects on the negative consequences of Danish immigration policies on Nigerian girls. Repatriation is seen as a solution benefiting Denmark rather than the victims, who instead end up in a situation which is more endangering than

⁴⁴² Part of her outburst of desperation can be found in paragraph 1.13.

the one they were living in Europe.

“Women are regularly removed from violent situations in Europe, only to be put into violent situations back home in Nigeria, in the name of rescuing them from trafficking. (...) The women in my study experienced everything from being raped in front of the IOM in Lagos the day after being deported, to numerous armed and violent robberies in Nigeria, to being seriously ill, handcuffed, and deported after three years of detention in the United Kingdom”.⁴⁴³

She also underlines the difficulties of re-integration in an unsecure environment where family and social relations might act as quicksand instead of safety net.

“Reuniting with estranged family members, opening a food stall or hair salon funded by reintegration money or establishing a new livelihood among disrupted social networks in a city of insecurity was in general a lonely and overwhelming endeavor”⁴⁴⁴.

Finally, repatriation exposes the victims to the real risk of re-trafficking and re-victimization as confirmed by many studies.

5.29 Non-refoulement

The core principle of the Geneva Convention is called non-refoulement (Art 33): it prohibits repatriation of refugees to countries where their life can be endangered. This principle is absolute, it does not admit exceptions, and it is recognised as a general binding norm of international law.

Nevertheless, this prescription is not always respected by States. None of the countries where I did fieldwork is fully accepting this suggestion. I use the term suggestion and not law because formally speaking the holders of the right of non-refoulement are refugees, and victims of human trafficking are not always recognized the status of international protection.

Despite the UNHCR indications on gender persecution regarding minors

⁴⁴³Sine Plambech, *Between “Victims” and “Criminals”: Rescue, Deportation, and Everyday Violence Among Nigerian Migrants*, in *Social Politics*, Volume 21, Issue 3, Fall 2014

⁴⁴⁴ Ibid.

and adults who are victims of human trafficking, none of the 3 States where I did fieldwork is systematically applying the non-refoulement principle. Among Denmark, Sweden and Italy, Italy seems overall the most sensitive to the human trafficking phenomenon and often accepts not to deport trafficking victims. Contrary to Italy, the two mentioned Nordic countries derogate from the non-refoulement principle and operate systematic repatriations of victims whose trafficking experience is not recognized as a prerequisite for international protection.

Denmark does not consider expulsion but repatriation of victims of trafficking: once a victim is back to her country, she keeps the possibility to return to Denmark through legal immigration channels, option which is revoked to all other illegal immigrants whose repatriation comprises the prohibition to re-enter the country.

A legal instrument, subjected to interpretation, that Sweden could offer to victims of human trafficking not to be repatriated can be found in Chapter 5, Section 6 of the Aliens Act: "Residence permits on grounds of exceptionally distressing circumstances". This kind of permit can be awarded on grounds based on "the alien's state of health, his or her adaptation to Sweden and his or her situation in the country of origin. Children may be granted residence permits under this Section even if the circumstances that come to light do not have the same seriousness and weight that is required for a permit to be granted to adults".

D. CONCERNS

5.30 Re-integration: a lucky case or a best practice?

Re-integration was not included in the Trafficking Protocol, making it an admirable but incomplete effort.

The ultimate effort the NGOs can make tackles re-habilitation. As for re-integration, Europeans are probably not ready to assimilate this concept which has much to do with the end of racism and classism.

For a reintegration program to be successful the effort must be made not

only by the “victims” but first and foremost by the “political community” to which all of us belong, with no exception.

A very positive result has come from the launch of a new adventure for a Nigerian girl who is a key informant of this study. Instead of putting re-integration as a last but not indispensable step towards independence and freedom, we have tried to start from it. Integration has been the tool through which this girl has conquered self-esteem, permanent exit from sexual exploitation and serenity.

She was invited to sing in a big choir constituted by Italian members of all ages. She made Italian friends for the first time and found people who set off a process of profound social integration, triggered by trust. She was then hosted by some choir members during Christmas time and, after one year she is still living with them. This way, she avoided all the uncertainties, conflicts, limitations and social isolation which characterize the daily life of shelters' guests. Furthermore, she didn't go through any waitness period and nobody ever treats her as a victim. She gained a place in society and in a precious safety net.

When racism and classism are over, we will not need any more shelters, but simply sympathetic communities. The healing power of open communities can manage to cure all kinds of PTSDs.

5.31 Uncoordinated NGOs “coordination”

Efforts made in combating the trafficking phenomenon proved very ineffective in Sicily because of one or both of these reasons:

- conflicting relations and rivalry for funds appropriation among NGOs working in human trafficking

- limited or total lack of contact with the reality or, in simpler terms, with the girls currently being in the exploitation chain.

As it has been ascertained, this is a very common problem taking place all over the world: as we have observed both in Nigeria and Italy, whenever

organization advocating for unjust detainments in the world, which has recently tried to widen its scope to include defense of “sex workers' human rights”, field in which the NGO does not have a specific experience. What's worrisome is not the problem itself (prostitution obviously connected to poverty) but some solution proposed.

Harm reduction principle admits by default that prostitution causes permanent harm at physical and psychological level. The solution proposed can be compared to equipping a car with airbags and then speeding in a crowded highway at night with headlights off, counting on the presence of safety devices.

In a human rights approach harm elimination and not reduction would be preferable to pursue.

The proposal to reduce damage embeds the concept of unavoidability. Is prostitution really necessary and unavoidable? Is it better to cause harm and then spend money and energy to “reduce it” (admitting that psychological wounds can ever be healed) rather than eliminate its root causes?

Comparing the results of both models can give an answer to the question. Human trafficking dramatically increased in countries where prostitution has been legalized as Cho as well as O'Connor and Healy found in their inquiries on the impact of legalized prostitution on human trafficking inflows⁴⁴⁹.

⁴⁴⁹ See Cho, S. et al (2013) “Does Legalized Prostitution Increase Human Trafficking?” *World Development* 4 : 67-82, <<https://doi.org/10.1016/j.worlddev.2012.05.023>> [accessed 10 July 2017]; O'Connor M., and Healy, I Vincoli tra prostituzione e tratta di esseri umani a fini di sfruttamento sessuale..

CHAPTER 6

RESULTS:

THE HUMAN RIGHTS MARKET

"We need a global recognition that prostitution is a violation of women's human rights and is inherently a violation of women's dignity as persons."

Esohe Aghatise, *Trafficking for Prostitution in Italy* ⁴⁵⁰

6.1. The Swedish model

"The fact that a country says yes or no to prostitution does not have a big impact on lowering or raising sex trade, which instead depends more on local and world economic dynamics, income disparity and migratory movements."⁴⁵¹

World economic inequality is undoubtedly the root of the phenomenon of prostitution and the primary cause of migration; however, prostitution laws have devastating impacts on gender equality as singled out by the 2014 European Parliament Resolution on sexual exploitation and prostitution: "any policy on prostitution has an impact on achieving gender equality, affects the understanding of gender issues and delivers messages and norms to a society, including its youth"⁴⁵². The European Parliament confirms "the Nordic model's deterrent effect on trafficking into Sweden, where prostitution and sex trafficking have not increased, and

⁴⁵⁰ Agathise, E. (2004) Trafficking for prostitution in Italy. Possible Effects of Government Proposals for Legalization of Brothels. In Violence Against Women, Vol. 10 No. 10, October 2004 1126-1155, p.1153. <<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.334.939&rep=rep1&type=pdf>> [accessed 30 May 2017].

⁴⁵¹ Garofalo, Vendere e comprare sesso, p.75.

⁴⁵² European Parliament, Resolution on sexual exploitation and prostitution and its impact on gender equality. Point H.

that this model is increasingly supported by the population, especially by young people, demonstrating that the legislation has brought about a change in attitudes” and “recognizes the outcomes of a recent governmental report in Finland, calling for a full criminalization of the purchase of sex, as the Finnish approach, which criminalizes the purchase of sex from victims of trafficking, has proven to be ineffective in tackling trafficking”⁴⁵³.

Sweden, since the enactment of the Sex Purchase Act (hereinafter SPA), has efficiently undermined the establishment of organized crime and halved the proportions of street prostitution.

“The prohibition of the purchase of sexual services has had the intended effect and is an important instrument in preventing and combating prostitution and human trafficking for sexual purposes. According to the National Criminal Police, it is clear that the prohibition of the purchase of sexual services acts as a barrier to human traffickers and procurers considering establishing themselves in Sweden.”⁴⁵⁴

The correlation between sex trafficking and prostitution has a strong theoretical and empirical basis⁴⁵⁵. “Prostitution as actually practised in the

⁴⁵³ Ivi. Point 31 and 32.

⁴⁵⁴ Swedish Government (2010) Prohibition of the purchase of sexual services. An evaluation 1999-2008

⁴⁵⁵ See:

US Department of State (2004) The Link Between Prostitution and Sex Trafficking. *State.gov*

<<https://2001-2009.state.gov/r/pa/ei/rls/38790.htm>> [accessed 10 July 2017]

Huda, S. UN Special Rapporteur on Trafficking in Persons (7 March 2005) Statement at the CSW Beijing. p.2
<<http://www.un.org/webcast/csw2005/statements/050307traffickinginpersons-e.pdf>> [accessed 10 July 2017]

EU Parliament (2005) Report on strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation (2004/2216(INI)) Committee on Women's Rights and Gender Equality. Rapporteur: Christa Prets. <<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A6-2005-0400+0+DOC+XML+V0//EN&language=hr>> [accessed 10 July 2017].

O'Connor, M. and Healy, G.(2006) The links between prostitution and sex trafficking. CATW and EWL Project. Available at
<https://cla.umn.edu/sites/cla.umn.edu/files/the_links_btwn_prostitution_sex_trafficking_a_handbook.pdf> [accessed 1 August 2017].

Farley, M. (2009) Theory versus reality: Commentary on four articles about trafficking for prostitution. *Women's Studies International Forum* 32 (2009) 311–315
<<http://www.prostitutionresearch.com/TraffickingTheoryVsReality2009%28Farley%29.pdf>> [accessed 10 July 2017].

world usually does satisfy the elements of trafficking”⁴⁵⁶.

Christa Prets at the EU Parliament stated that “it is undeniable that trafficking for sexual exploitation is directly linked to the prostitution”⁴⁵⁷

No sex trafficking (and therefore sex trade) would exist without prostitution⁴⁵⁸, a prostitution survivor, Rachel Moran, affirms in her “journey through prostitution” book⁴⁵⁹, and at present very little prostitution would exist without trafficking. In Palermo, 95% of the prostitutes trafficked are Nigerian and Eastern European: that is why they should be called “prostituted” and not prostitutes or sex workers. Therefore, I claim that prostitution laws have an incontestable impact on the volume of human trafficking, as official in-depth studies, such as the one conducted by the Government of Sweden, Cho⁴⁶⁰, and other official data report.

The unsupportive viewpoint on the Swedish model by C. Holmström⁴⁶¹, whom I had the privilege of meeting in Sweden, comes from some plausible considerations on the limits of the law which criminalizes individuals for a social phenomenon. The Swedish researcher, whose stance is reported also by Garofalo⁴⁶², rightly claims that legal measures cannot replace social measures and that the Alien Act⁴⁶³ represents a clear contradiction to the feminist values which are supposed to constitute the

MacKinnon, C. (2009) Trafficking, Prostitution and Inequality. Harvard Civil Rights-Civil Liberties Law Review Vol. 46. <<http://harvardcrcl.org/wp-content/uploads/2009/06/MacKinnon.pdf>> [accessed 10 July 2017].

⁴⁵⁶ UN ECOSOC, CHR (20 February 2006) Integration Of The Human Rights Of Women And A Gender Perspective. Report Of The Special Rapporteur On The Human Rights Aspects Of The Victims Of Trafficking In Persons, Especially Women and Children. E/CN.4/2006/62. (by Sigma Huda)

⁴⁵⁷ EU Parliament (2005), Report on strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation (2004/2216(INI)). Explanatory Statement. (by Christa Prets)

⁴⁵⁸ Moran, Stupro a pagamento.

⁴⁵⁹ Ibidem.

⁴⁶⁰ National Task Force against prostitution and human trafficking (2010) Human Trafficking and Prostitution from a Swedish Perspective. Stockholm: County Administrative Board, available at <<http://www.lansstyrelsen.se/stockholm/SiteCollectionDocuments/Sv/publikationer/2011/human-trafficking-and-prostitution-2011.pdf>> [accessed 10 July 2017].

Cho, Does Legalized Prostitution Increase Human Trafficking?, p. 67-82.

⁴⁶¹ Holmström, C. (2013) The ‘Nordic model’ of prostitution law is a myth. The Conversation. Available at <http://theconversation.com/the-nordic-model-of-prostitution-law-is-a-myth-21351> [Accessed 25 November 2017].

⁴⁶² Garofalo, Vendere e comprare sesso, p.79.

⁴⁶³ The Alien Act is about deportation of foreigners.

foundations of the SPA. The assumed negative impact of the law on the prostituted has so far had no confirmation from the field.

Though still largely perfectible, the SPA has been a great start and a source of inspiration for a positive mentality change across Europe. In order to push for gender equality on a global level and trigger a cultural change world-wide, in 2016 Sweden appointed Per-Anders Sunesson as an ambassador-at-large not only to combat human trafficking globally, but also to spread the beneficial social effects of the Swedish model. The country aspires to assume the role of the world's leading human rights defender.

As the Swedish Ministry of Foreign Affairs affirmed: "Sweden is a strong voice on the international stage for gender equality and human rights. Women and men must have the same power to shape society and their own lives. Creating a new position for an ambassador to combat human trafficking is a step in this direction".⁴⁶⁴

The stance on the criminalization of "clients" is as common to scholars (MacKinnon, Farley, Kara, Aghatise, Bindel, Barry, Shrage, De Santis, Waltman, Raymond, Ekberg, Rothman, Mansson, Finstad, Höigård, Ekman) as to prostitution survivors on an individual (Rachel Moran, Blessing Okoedion, Trisha Baptie, Marie Merklinger, Shandra Woworuntu, Kat Pinder, Vednita Carter, Sabrinna Valisce, Marian Hatcher, Fiona Broadfoot, Sabrinna Valisce) and a collective level (Organization for Prostitution Survivors, Space International).

The identifiable voices of prostitution survivors are extremely powerful, as they are incontestable truth-bearers, especially when their voices are not obscured by sex workers'/prostituted collectives or organizations. In the words of Brenda, a prostitution survivor:

"Besides my outreach work, I attend conferences

⁴⁶⁴Speech by Margot Wallström, Swedish Minister for Foreign Affairs. See Government of Sweden (2016) New Swedish Ambassador To Combat Trafficking In Human Beings. Regeringskansliet. <<http://www.government.se/press-releases/2016/05/new-swedish-ambassador-to-combat-trafficking-in-human-beings/>> [Accessed 17 November 2017].

and contribute to academic work on prostitution. I've had people say to me: "Brenda, come and meet Professor so-and-so from such-and-such university. He's an expert on prostitution." And I look at him and I want to say: "Really? Where did you get *your* credentials? What do you really know about prostitution? The expert is standing in front of you!"⁴⁶⁵.

6.2. Human Illiteracy and The Generalized "OTHER"

The emotional, mental and spatial distance creation mechanism involuntarily set up by both clients, traffickers and researchers alike make us fall into the trap of distorted knowledge and of what can be called the human illiteracy of literates.

Mead's theory of the generalized other as "the elision of people and objects to whom the child relates in developing a sense of self" can help us look at the mental boundaries we build between ourselves and others not belonging to our same social group. Without even realizing it, we might end up distancing and therefore stereotyping and "de-humanizing a minority group" creating a landscape of exclusion. One of the main signifiers of otherness in Western cultures relates to color, in particular to the racist use of black and white in terms of Manichean separation of good/evil, superior/inferior, safe/dangerous⁴⁶⁶.

I share Sibley's view that: "The presumption of knowledge could be more damaging than ignorance if this knowledge were in the province of state bureaucracies or academia".⁴⁶⁷

6.3. The sex sector is born

This paragraph will try to track the international official recognition of prostitution as work and its assimilation to an economic sector, part of the

⁴⁶⁵ See prostitution survivor Brenda Myers-Powell's autobiography, released at BBC (30 June 2015) My 25 years as a prostitute. *Bbc.com* <<http://www.bbc.com/news/magazine-33113238>>. [accessed 29 May 2017].

⁴⁶⁶ Sibley, D. (1995). *Geographies of exclusion*. London: Routledge. p.9-10.

⁴⁶⁷ Ivi, p. 29.

globalized market. The document paving the road for this recognition comes from the most unsuspectable source.

All the world exulted at the foundation of the UN, whose mission is to be the guarantor of peaceful relations among the world's nations and the guardian of fundamental rights, the voice defending principles against short-sighted national laws. Dworkin outlined the dangers of cheapening principles over 30 years ago: "If we care so little for principle that we dress policy in its colors when this suits our purpose, we cheapen principle and diminish its authority."⁴⁶⁸

On one side, the 1948 Universal Declaration of Human Rights, which we can link to these principles, was at the cutting-edge of human progress. On the other side, in 1998, exactly 50 years later, the UN agency for labour, the ILO, paved the way to a violation of those same rights. Coherence has never been one of the strong points of the UN, starting from the veto power of a few wealthy countries belonging to the Security Council; this is hardly compatible with principles such as equality.

Indeed, it was the ILO, whose mission is "promoting jobs, protecting people"⁴⁶⁹, in 1998 that for the first time introduced the concept of prostitution as work with the aim of normalizing it with the publication of "The Sex Sector".

What is striking, as in many other research studies, is the "relevance" of the study compared to the statistical database: the number of informants (6 individual case studies representing 4 countries, namely Malaysia, Thailand, Indonesia and Philippines) and 38 interviews.

"Although the information is from too small a number of women and girls for drawing inferences, the survey (thirty-eight respondents) and individual case studies (six) do provide primary information to clarify some assumptions about the sector. The youngest respondent was

⁴⁶⁸ Dworkin, R. (1985). *A matter of principle*. Cambridge, MA: Harvard University Press.

⁴⁶⁹ ILO official slogan, to be found at its official webpage <www.ilo.org>[accessed 13 May 2017].

sixteen, the oldest thirty-seven. Twenty-seven were Chinese⁴⁷⁰.

Now, twenty years later, its predictions have been contradicted by reality.

“With rising levels of education in all these countries, the number of poorly-educated young women within the 15 to 24 age group should also decline drastically. The increasingly better-educated young job-seekers should have access to better work prospects as the economies continue to grow and diversify. Therefore, the pressure on women and children to enter prostitution as a means of escaping absolute poverty should lessen.

However, substantial numbers of people in the population will remain relatively poor, materialism and consumerism will continue to spread, and the attractive earnings in many parts of the sex sector will continue to provide a strong incentive to take up prostitution. Although there is certainly a universally recognized tendency for the uneducated and poorly educated to be over-represented in the ranks of the commercial sex workers, reasonably high levels of education do not prevent women from entering the sex sector⁴⁷¹.

The document also states that:

“Successful efforts to eliminate child prostitution would reduce the problem of adult prostitution. Many adult prostitutes actually enter the sex sector when they are still children. Moreover, their continued involvement in commercial sex tends to compound rather than minimize the trauma and problems they encounter as children⁴⁷².

This claim is undoubtedly not very consistent.

Moreover, “27 out of the 38 interviewees responding said they had been informed about their work, by either the manager, employer, pimp or mamasan, or by co-workers⁴⁷³.

⁴⁷⁰ Lim, L. (ed.) (1998) *The Sex Sector*. Geneva: ILO. pag. 81.

<http://staging.ilo.org/public/libdoc/ilo/1998/98B09_134_engl.pdf> [accessed 13 May 2017].

⁴⁷¹ Ivi p. 209.

⁴⁷² Ivi p. 212.

⁴⁷³ Ivi p. 84.

Another more recent ILO publication "Vietnam's Sex Industry - A Labour Rights Perspective" is grounded on the basis of the answers of 22 pimps and 170 male, transgender, and female prostitutes. The choice of Vietnam, a country where 40% of the population lives in multidimensional poverty, appears rather surprising. The evident link between poverty and prostitution is continuously overlooked and the dominant ideology is feeding a huge industry killing people on a daily basis in a globalized indifference. Why don't we ask ourselves obvious questions, such as: Why there are almost no prostitutes from wealthy countries? Do they just not have the vocation for such work? Or is it that they have sufficient financial resources to cover their basic needs and therefore would never ever give up their bodies to strangers? Why don't those who affirm that prostitution is simply a normal job try it? Why don't they encourage their daughters or sisters to do a job like this? Unanswered questions. Whenever I posed such a question, the listener always took offence. Kantian categorical imperative would suggest that you should be able to apply the universalizability principle and "act only on those maxims that you could at the same time will to be a universal law". In simpler terms, if I would never even consider the possibility of "working" in prostitution, not even for a single day, I should not suggest it as a "choice" for others. Otherwise, I am applying a double standard: one to myself and another to the generalized poverty-stricken-by-fate, Other. Moreover, if I feel offended, it means that on a deeper level I recognize the profound violation of my dignity intrinsic to the question itself.

6.4. Universal truths: 50 shades of grey

"How easy it was to lie to strangers, to create with strangers the versions of our lives we imagined": this is what the Nigerian feminist Adichie asserts in *Americanah*.

A study of the literature on prostitution may at times make the reader drown in rivers of words and opinions pretending scientificity and universality that are very difficult to achieve, given not only the

complexity of the human being as such and of his behavior, but most of all the near total absence of prostituted girls and women willing to openly talk about the profound and painful truth they carry within. Very often, journalists, social workers, police officers and researchers only have either false information or misleading half-truths to rely on. Also the Swedish National Task Force against Prostitution and Trafficking also found that information provided by people in prostitution can be very inaccurate or false:

“From tapped phone calls it has been verified that traffickers also tell their victims to say that they are involved in prostitution on their own account if questioned by the police”⁴⁷⁴.

Kara, a worldwide expert in human trafficking and professor at Harvard asserts:

“My efforts to interview working Nigerian sex slaves proved unsuccessful. None were willing to speak to me about anything other than the price of sex”⁴⁷⁵.

That is why intellectual honesty and credibility impose an effort towards a serious consideration of real numbers (not estimates), which would in turn imply a huge effort of in-depth fieldwork. Geolocalization of microsamples appears to be crucial to avoid labeling as human trafficking or prostitution phenomena that do not fully fit these definitions. It would probably be necessary to coin a third term able to embrace a more complex idea.

Data collection is the most important part. Since it is data that drives conclusions and not viceversa it would be helpful to consider:

1) data quantity (adequate number of statistical data supporting the study, meaning a reasonable percentage of the category: i.e. how many respondents out of the total? Is the number really representative?)

2) data quality: reliability (does the level of trust and confidence of the

⁴⁷⁴ National Task Force against prostitution and human trafficking, Human Trafficking and Prostitution from a Swedish Perspective, p.21.

⁴⁷⁵ Kara, Sex trafficking. Inside the Business of Modern Slavery. p. 91.

respondents towards the interviewer allow for true answers? Was the site of data collection a public or private space? How diversified is the sample? Data reliability in the prostitution research sector seems to be THE challenge)

3) contextualization: are findings geolocalized? To what extent do they have the potential to be universalized?

6.5. Private property: the commoditization of the human being

Far from being a concept brought about by the French Revolution, private property is firstly a primordial instinct of the child and a claimed request of the contemporary adult. The idea of "private property" implies possession, exclusivity and entirety. Starting from the possession of lands and objects, since ancient times the human being widened the range of his properties to other human beings by creating slavery.

Slavery was a lawful practice for millennia: people could be bought and sold as things or animals. In modern times, a good excuse to justify this commerce was that slaves were not human beings like the slave owner. They might be evolved but soulless creatures given by God to his offspring. The first embedded concept was therefore racial superiority. Accepting instead the idea that they could be peer human beings would have made slave owners very uncomfortable and strongly undermined the legitimacy if not the legality of the slave trade itself.

Interestingly, the last 100 years have witnessed the total formal abolition of the practice of enslavement. The contemporary slavery timeline informs us that only in 1936 would Britain finally abolish this practice in northern Nigeria; in 1948 the Universal Declaration of Human Rights would point out that the practice is fundamentally incompatible with human rights. Finally, only in the 21st century, Niger (2003) and Mauritania (2007) would criminalize it. Another important step forward would be the one made by the UK, which in 2015 issues the Modern Slavery Act.

It is noteworthy that all formal condemnations of this practice have not

yet managed to unroot slavery from our daily life. Human beings have not hesitated to marketize what was not tradable for his own benefit.

Implicitly, therefore, slave traders as much as their contemporaries, started to deeply feel the strong incompatibility between slavery and the unconcealed characteristics of "humanity": dignity, reciprocity, fairness, inviolability, justice, freedom, integrity, and even sacredness.

Whereas nobody would argue on the legitimacy of commodities trade, a vibrant and still open debate questions the legitimacy of trade in human beings. The main question is whether it is possible to apply the rules of trade to the human body and what are the collateral effects of it.

In particular, the issues at stake regard:

- whether the nature and scope of the human being coincides with the nature and scope of an object,

- whether it is possible to "section" parts of the human being by selling, buying or renting them and if yes which ones,

- whether any human being would voluntarily sell him/herself. Is it really possible to detach the body from the mind? What do scientific research say on the issue?

- whether the body is unrelated to the person's identity and can be treated as a far-distant object,

- the impact of actions the body has been subjected to on the person's wellbeing,

- whether any human being would sell him/herself if he was not in stringent need of money.

The core of trade is money. And the core of selling is giving out or, better said, sacrificing something in exchange for money or advantage. Bartering a human being in exchange for money is still a common practice though it is now formally unlawful all over the world.

The connection between slavery and objectification appears evident in all times of history. Objectifying a person means depriving a human being of its main characteristic: humanity.

6.6. Buying a Right or Human Rights for Sale

Is it possible to sell a human right? In our society it is more than possible, indeed.

The top international human rights robbers would never be formally labelled as criminal organizations though their actions undoubtedly equal those of any illegal network amounting to embezzlement and torture. The parallelism between institutional and illegal human rights robbery is quite evident if we compare the World Bank (WB) or the International Monetary Fund (IMF) to any usurer or human trader. The main issue at stake is money and the victims of both robberies are the most vulnerable and disadvantaged people, in particular African peoples coerced to implement the SAP (Structural Adjustment Programs) designed by the Minority World-lead Bretton Woods institutions.

6.7. Human Monetization

Current market rules have put human beings on a shelf so that they can be chosen bought and sold by capitalists. The supreme value is therefore unequivocally identified with money and profit.

What is the value of a human being in terms of money? We can try to put a price to human life. There are some people who are simply a cost for society and that will never reach the end of producing, scope of our existence. The terminally ill, disabled, old, babies, cannot produce. Therefore they are useless. As much as the poor. Their existence can be considered meaningful or better said useful in economic terms only as far as they produce.

The poor do not produce. On the contrary, they need to receive. Thus, they should be eliminated or marginalized. Anyhow they must perceive that they are outcasts, they are not welcome in our marketarchy (from the Greek \square $\rho\chi\theta\omicron$ rule). Our western world is governed by a thing, rather

that by a person. Even the world superpowers are serving their master which is the market and ultimately money. The correlation between money and happiness instead of a never-ending proportional growth, at a certain stage breaks. Easterlin⁴⁷⁶ had already observed in 1974 that revenue increases are not directly proportional to happiness; actually at a certain stage revenue increases cause a decrease in happiness. It is the happiness paradox, that we live in our lives on a daily basis but that the market, our ruler, does not allow us to reflect on.

6.8. Sex workers or pimps trade unions

“We can be blind to the obvious and we are also blind to our blindness”⁴⁷⁷.

In an analytical study conducted at global level, Ekman (2013, 59-78) reveals that almost 100% of “prostitutes' trade unions” are fraudulent misrepresentations. She proves with solid argumentations that:

- Trade unions are meant to be groups of workers fighting against their employers to get more rights; self-appointed “prostitutes trade unions”, instead, include both workers (prostitutes) and employers (pimps).
- Membership of these Unions is mostly constituted by pimps, sex buyers and people earning profits through the sex industry and its satellite activities including producers, sellers and consumers of sex toys, pornographic films and magazines, adult websites and videos (such as redtube and youporn), porn apps.
- the target of these Unions is legitimization of the idea of prostitution in the eyes of the general public and legalization of exploitation whose first beneficiaries would be pimps who would legally become “managers”.

The last uncovered deceit regards a pro-prostitution British researcher from Sussex University: PhD John Davies. Suspected of trafficking by

⁴⁷⁶ Easterlin, R. (1974) *Does Economic Growth Improve the Human Lot? Some Empirical Evidence*. In *Nations and Households in Economic Growth: Essays in Honor of Moses Abramovitz*, edited by Paul A. David and Melvin W. Reder. 89-125. New York: Academic Press.

⁴⁷⁷ Kahneman, D.(2013) *Thinking, Fast and Slow*. New York: Farrar, Straus and Giroux. p.24.

prostitution interpreted as a free exercise of individual liberty.

6.9. The Mcdonaldization of sex or fast sex industry

According to Tiefer⁴⁸¹ the following is the contemporary imagery about sex:

- 1) "Everyone wants a lot of it
- 2) everyone breaks up relationships, families, and lives to get it
- 3) Everyone's sexual episodes are full of desperately urgent desire
- 4) The best sex is between strangers, especially strangers forbidden or prevented from consummating their desires".

We are sold by hypersexualized media the idea that the pleasure of sex is merely linked to biological characteristics and can be or even it will be better if disconnected from relationships and feelings.

Buying a prostitute for few minutes results being a compensatory experience. The idea of sexual adequacy and performance seems extremely important especially in the Viagra era: through sexual performance men try to overcome their feelings of inadequacy and insecurity and raise their self-esteem and sense of power. The very use of the term "impotence" links sex to power, transforming in our imagery a biological situation into questioning men's power in general.

According to research on the theme, sexual behavior, far from the common belief that enthrones hormones' pulsions, is instead constructed. Social constructionist sex researchers, like John Gagnon⁴⁸², think that "people become sexual in the way they become everything else. Without much reflection, they pick up directions from their social environment. They assemble meanings, skills, and values from the people around them".

Sexology research applies to sex the 4 principles of the fast food industry theorized by Ritzer⁴⁸³: efficiency, calculability, predictability and control⁴⁸⁴. The urgency of food has been assimilated to the urgency of sex

⁴⁸¹ Tiefer, L. (2004). *Sex is not a natural act*. New York: Westview Press: 13.

⁴⁸² Gagnon, J. (1977). *Human Sexualities*. Glenview: Scott Foresman.

⁴⁸³ Ritzer, G. (1996). *McDonaldization of Society*. Los Angeles: Pine Forge Press.

⁴⁸⁴ Tiefer, *Sex is not a natural act*.

and the western media dwells upon this on every possible occasion. It must be cheap, easily reachable, always available and controllable. Andropause, unlike menopause, is a taboo word. A simple desire that both men and women experience, which is more natural at certain ages and changes over time due to decreasing hormonal levels, is first transformed by media brainwashing into an impelling, uncontrollable need and then magically metamorphized into a "human right". The paradox of injustice: satisfying a caprice that causes suffering and exploits poverty now ranks as a human right. What are the characteristics of human rights? According to UN definitions, they are "inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status" and are "interrelated, interdependent and indivisible".⁴⁸⁵

Legitimizing exploitation appears to be the hidden objective.

Do one person's rights enjoy predominance over other basic rights? Is there a hierarchy of rights? Are not basic fundamental rights more impellent than phallocentrism?

6.10. NGOization of Human Rights

Because human rights are universal as opposed to individual, every human being is at the same time the holder of human rights and defender of other people's rights. The very existence of human rights loses all its legitimacy the moment the rights of others are overlooked. Human rights are not a sterile theory but a challenging practice: if I don't recognize the human rights of others, I cannot claim any human right for myself. The practice of human rights cannot be disconnected from others because all people are holders of the rights to be human.

Therefore, when human rights are limited by a self-referential practice, they are deprived of their real nature, which fosters both freedom (individual right) and equality (collective right) symmetrically. Indeed, the

⁴⁸⁵ See "OHCHR | What Are Human Rights". UN Human Rights, Office of the High Commissioner *Ohchr.Org*. <<http://www.ohchr.org/EN/Issues/Pages/WhatAreHumanRights.aspx> > [accessed 13 May 2017].

first part of article 1 of the Universal Declaration of Human Rights states that “all human beings are born free and equal in dignity and rights”. Individual freedom must not be an excuse to ignore others and therefore forget about equality; it is intended not as a mere wish or a virtue practiced by a few, but as a logical corollary to the acceptance of being a human rights holder.

The second part of article 1 remarks that human beings “should act towards one another in a spirit of brotherhood”. It is not clear whether in the intention of the signatories this “should” must be interpreted as a wish or as an obligation. From my point of view, there could be a third interpretation: the term “should” might indicate that they are naturally expected to do so. Admitting the existence of equality and then going on to recognize its value both mean accepting the responsibility to work towards its realization.

“From the point of view of the very protection of rights, the inclusionary nature of the international human rights practice is a good point for the rights defense: every force or resource in that direction must be appreciated; every form of agitation, pressure, or moral advocacy would contribute to strengthen their implementation”.⁴⁸⁶

A balanced complementarity of statal and non-statal intervention is a source of harmony and human progress. Unbalanced powers, on the other hand, end up producing bottlenecks.

Have human rights become a prerogative of NGOs in Italy and in other parts of the world? Is it appropriate to totally delegate human rights protection to private entities?

The role of NGOs and civil society at large, not only with respect to human trafficking but also to many other social issues, cannot be that of replacing the public sector, but of complementing and supporting it. The main risks of the NGOization of human rights consist in discharging the

⁴⁸⁶ Trujillo, *Human rights are not ours but others*, p. 114.

State of its responsibilities towards society, feeding private interests and making human rights protection occasional, unaccountable, unstable, unequal, fragmented, uncertain and arbitrary.

Italy is particularly prone to shirking its duties. Such a massive presence of NGOs in our country shows the clear ineffectiveness of the Italian State in dealing with social emergencies such as migration, trafficking and endogenous poverty. Public services for the poor, be they prostituted, homeless, detainees, migrants or drug addicted, are either totally lacking or very poor in a crossroads like Sicily. The poor, who most probably do not vote, are clearly not a priority for our national, regional and municipal Government, regardless of political affiliation.

The justification of a structurally lax political culture is not altogether convincing, as the multitude of scandals related to the mismanagement of public funds by cooperatives and associations of all kinds reveals a very different reality.

It might sometimes seem that the Italian public sector purposefully holds back social services in order to leave a gap that then needs to be filled by private interests in the guise of philanthropy.

I argue that it could be beneficial to explore the Swedish practice, offering plenty of good public services to the needy and not squandering taxpayers money. Its public expenditure in services for the poor probably equals ours, with the huge difference that the close to zero level of corruption of public institutions makes supporting the needy a fruitful investment.

Delegating human rights protection to NGOs has major devastating consequences on the final beneficiaries, as with few exceptions, nobody takes full and permanent charge of them.

The situation of Nigerian girls and women is no exception to this rule. Notwithstanding the existence of a funded Anti-trafficking Coordination (since 2012) and Italian-Nigerian good-will associations, very little in terms of concrete results seems to have been accomplished, i.e. the

counterweight for the uncertain impact of global civil society on rights"⁴⁸⁹.

6.11 The paradox of a gendered battle

The debate on prostitution seems a never-ending issue with a strong gendered connotation: it involves female victims, female perpetrators, and finally female self-appointed feminists in favor or against the phenomenon. It would be interesting to also have men's point of view on the phenomenon. This is what I started investigating in Sweden: since the Sex Purchase Act affects them and nobody else, they are the ones who should have a say about it. According to official Swedish statistics, men are for the most part in favor of the law. Those who can't handle their instincts travel to Denmark, 20 minutes away from Sweden by train, and get what they want.

The strongest argument against prostitution is that a vast majority of the prostituted are foreign trafficked girls. The data of this fieldwork, collected mainly in Palermo and partly also in Copenhagen, confirms the data provided by APG23, Aghatise, Tampep, Cho as well as the DDA. Some battles seem to be conducted for the right of pimps or for the right of women to remain poor (how many rich prostitutes are there? It would be interesting to look for this data). The lack of consent of the vast majority of the girls turns the entire debate into a tool to further the interest of lobbies, political objectives, and the growth of the porn industry, none of which have anything to do with the well-being of the prostituted girls.

6.12. Distance creation: crossing mental borders

In primis, the creation of mental distance allows us to leave our humanity behind as a way to escape suffering.

Prostituted girls use it within their own minds to distance themselves from their bodies, until they fall into severe mental illness caused by the split self.

⁴⁸⁹ Trujillo, *Human rights are not ours but others*, p. 117.

Buyers or the final exploiters also use it with prostituted girls not to feel involved in a relationship:

“They don’t believe they can have no-strings-attached sex, which is why they pay. They’d rather pay than get it for free”.⁴⁹⁰

In addition, they use it to make themselves feel that they are still respectable people, in spite of their taking advantage of the desperation another human being, who could easily be their daughter.

Some researchers maintain a mental distance from the prostituted as well. Conceptualizing the girls' work takes away their faces; it keeps researchers from having to apply the same standards to themselves that they suggest for these far-away migrants whom they have seldom met, but about whom they have written reams of articles and books.

NGOs and shelters operators too create a mental distance with the prostituted girls: in the end they are merely people to be helped, not to engage with in a human relationship. Moreover, operators might run the risk of contracting Secondary PTSD. Better to keep a distance.

The act of crossing these human borders is the only switch that can turn on our humanity.

Temporarily disabling this capacity is a decision we take in order to protect ourselves from excessive suffering. But dehumanizing ourselves can be much more painful in the long run than raising mental walls every day. Denying or renouncing our human nature cannot make us happy. And cannot deeply experiencing our humanity be a great source of human happiness?

6.13 Privatizing suffering

The American feminist philosopher Wendy Shalit, protagonist of the contemporary debate on abolitionism along with Melissa Farley and Catherine MacKinnon, argues that if the human body can be compared to

⁴⁹⁰ Interview to a prostitute reported by Bernstein in Bernstein E. (2001) The meaning of the purchase: desire, demand and the commerce of sex. In *Etnography* 2. pp. 389-420.

any other object, therefore buying a hamburger and buying a body are considered two similar, and therefore ethically neutral acts. *Ergo* the open question is: Why is rape --which 100% of the prostituted Nigerian girls who took part in this study were subjected to-- an act that is universally defined as a punishable crime? Why then is rape reputed to be far more serious than forcing someone to eat a hamburger, or than stealing it?⁴⁹¹ Why is rape used in wartime as an act of extreme violence and violation of the "honor" of a person or of the whole family? Is it possible that the theoretical debate that aims at "normalizing" or equating sex with a commodity intends to relegate all the feelings of profound prostration and persistent psychological discomfort both of prostitutes and of clients to a "private suffering" that must be concealed? Does privatizing the suffering and avoiding making it public make it automatically non-existent? Or maybe the suffering of migrants and, to a greater extent, of blacks must remain invisible, not being worthy of entering institutional debates? Can a scientific method for measuring it be elaborated? E.g.: hours of sleep, lack of personality planning, physical and partial disabilities, total, temporary or permanent, psychic and psychosomatic disorders, disorientation, impassiveness, alteration of desire for survival, despair, identity crisis, number of suicides.

6.14 Redefining slavery and forced prostitution

The 1953 ECOSOC Slavery Report describes the exercise of the "right of possession" powers that define a situation of slavery:

1. The individual can be purchased
2. The owner can use the individual, in particular his/her working ability, in absolute terms

⁴⁹¹ See Rosenkranz Foundation-Intelligence Squared US (21 April 2009) *Experts Debate: It's Wrong to Pay for Sex*. Rockefeller University in New York City.

For the motion: Farley, MacKinnon, Shalit.

Against the motion: Barrows, Cowen, Tiger.

Transcript available at <<https://www.intelligencesquaredus.org/sites/default/files/pdf/transcript-its-wrong-to-pay-for-sex.pdf>> [accessed 5 March 2015].

3. The earnings of the individual's work become the master's property without any commensurate compensation to the value of the work
4. The property of the individual can be transferred to another person
5. the status/condition of the individual is permanent in the sense that it cannot be terminated for his will
6. status/condition is hereditary/inheritable.

In the light of the foregoing, perfectly coinciding with the situation of the Nigerian prostitutes in points 1 to 5 and partly in point 6 (the children/Nigerian family are responsible for any missed payments or leaks) would it be plausible to classify forced prostitution as violence and torture as well as a form of neo-slavery? Some scholars rightly observe that entering into prostitution because of "acute financial needs" should be interpreted as forced prostitution⁴⁹².

In the Report on the Exploitation of Prostitution (United Nations Document E/1983/7, para.23), the Special UN Rapporteur states that "even when prostitution appears to have been freely chosen, it is actually the result of coercion, citing the testimony given at the Nice Congress of 3 Women Representatives of Prostitutes on September 8, 1981: "As prostitutes, we are all aware that all prostitution is forced prostitution. Whether we are forced to become prostitutes by lack of money or by housing or unemployment problems, or to escape from a family situation of rape or violence (which is often the case with very young prostitutes), or by a procurer, we would not lead the 'life' if we were in a position to leave it). The feminist sociologist Kathleen Barry, founder of CATW (Coalition Against Trafficking in Women), asserts that there is no such thing as consensual prostitution⁴⁹³.

The slavery/freedom antithesis is often paradoxically treated as a *unicum* by those who claim to defend the right to "freedom" (freedom to suffer) of

⁴⁹² UN (2002) Abolishing Slavery and Its Contemporary Forms, United Nations High Commissioner for Human Rights. p. 31.

⁴⁹³ Barry, The Prostitution of Sexuality.

a black woman, *de facto* inviting her to remain a slave. It is exactly what happened in the colonial era in Nigeria, as Nigerian academic Aderinto observes: "Prostitution regulation also linked directly to the idea of "civilization", the largest project of the British in Nigeria, as elsewhere in Africa⁴⁹⁴.

According to the EU "prostitution and forced prostitution are forms of slavery incompatible with human dignity and fundamental human rights"⁴⁹⁵.

Concerning Article 6 of the Nice Charter itself, it is interesting to note that the right to freedom and security are considered inseparable and interdependent. Is it possible to dissociate freedom from security?

6.15 Nigeria: The Baby Farm Country

The powerful control of men on women's bodies and reproductive activity is evident by examining both the phenomena of prostitution and surrogate motherhood. Ekman sees gender inequality and abuse as common denominators⁴⁹⁶. Yet, her general observation is very pertinent. Even more, if we geo-contextualize these two inhuman manifestations of objectifications in the Nigerian frame.

Indeed, Nigerian teenagers are very vulnerable to the exploitation of their body, as we have seen in the case of sex trafficking. The increasing phenomenon of surrogacy in the country is at least as serious as forced prostitution. Parallel to forced prostitution of Nigerian girls in Italy, the crimes of slavery and aggravated abduction are embedded into Nigeria's surrogacy practice, affecting the poorest children and teenagers living in rural areas.

Baby farms: this is the name given to prisons where teenagers, often underage, are locked to produce babies for the rich. Trafficking of babies

⁴⁹⁴ Aderinto, *When sex threatened the State: Illicit Sexuality, Nationalism, and Politics in Colonial Nigeria 1900-1958*.

⁴⁹⁵ European Parliament, Resolution on sexual exploitation, point B.

⁴⁹⁶ Ekman, *Being and being bought*.

for sale is the last frontier of exploitation and inhumanity, a frontier traffickers are already crossing.

In 2011, a Nigerian police in Aba discovered a baby farm imprisoning 32 girls, aged 15-17⁴⁹⁷. The babies were being sold by the “proprietors of the girls” for illegal adoptions or ritual sacrifices.

If we compare forced prostitution and forced surrogacy we will see that they have a lot in common: same method, slavery, same category of exploited people, same age (teenagers), same social class, the poor, same gender (female), same abuses, traumas and violence⁴⁹⁸.

6.16 Outreach: The Proximization Theory

Trust is the key and the Outreach Units are the main doors through which girls can access their freedom. Outreach activities are of paramount importance and constituted also the basis upon which Sweden rooted its first Sex Purchase Act. An in-depth inquiry, conducted by a team of Swedish researchers, lead by Prof. Sve-Axel Månsson in his capacity of both academic and social worker, in Varnhem and other neighborhoods of Malmö, the third-largest city in Sweden and capital of Skane Region, pointed the way to a a new reality-backed model based on a deep understanding of gender imbalance. The model has been strongly supported by the Swedish feminist movement actively seeking gender equality.

Getting to know both the prostituted women and their final exploiters personally allowed for a much deeper understanding of the whole phenomenon. Herein lies the difference between theoretical and empirical research. Some interviewees tell their stories to strangers in exchange for money (I have personally witnessed this in Palermo). It is not only journalists who pay interviewees but sometimes also credentialed

⁴⁹⁷ The Guardian (2 June 2011) Nigerian 'baby farm' raided – 32 pregnant girls rescued. *Theguardian.com* <<https://www.theguardian.com/law/2011/jun/02/nigeria-baby-farm-raided-human-trafficking>> [accessed 22 November 2017].

⁴⁹⁸ Eseadi, C. et al. (2015) *Prevalence Of Baby Factory In Nigeria: An Emergent Form Of Child Abuse, Trafficking And Molestation Of Women*. Vol.2. No.1. pp.1-12.

researchers. Such exchanges are inauthentic, and wholly unreliable. No matter how sincere the interviewee may appear, the data collected from her is tainted. Even if her account is truthful and complete, without a bond of deep trust, the researcher has no chance of understanding the labyrinth of the girl's experience or how it has affected her.

The worst research scenario is the one in which those who have never met a prostituted woman nevertheless advocate for "sex workers' human rights", completely and skillfully ignoring the inalienability of human rights, and the fact that dignity, physical and psychological health, integrity and freedom – goods which are supposed to belong to each and every person, not only the wealthy – are irreconcilable with prostitution.

A mechanism of distance creation does not allow for a broad understanding of the phenomenon, though it may account for the many intellectually fascinating theories that undergird certain human rights doctrines, but which de facto promote the degradation of women. Such theories often reveal an implicit bias against the poor and a sense of racial superiority.

The very large gap dividing the two main antithetic positions on prostitution (neo-abolitionism vs. regulationism) mirrors the difference between empirical research and theoretical research. Empirical research, especially in studying human behaviour, is absolutely indispensable, particularly in data collection. The reliability of data and its adherence to the truth can vary very much depending on the data collector and the degree to which the interviewee trusts that individual. Variation can be so extreme as to give opposite results and therefore totally mislead the researcher. No human being gives out personal, private information on his sorrows or happiness to strangers, even in exchange for money. Would any of us be able to open the doors of his most intimate feelings to a researcher or a journalist? Of course not. Real human proximization, setting the basis for a relationship of trust, is the prerequisite for

collecting reliable data.

Prostitution, directly and deeply, touches the most central characteristic of human society and of the human being: relationship. The quantity of relationships (as the existence of thousand of facebook "friends" shows) is socially given more importance than the quality. In a process of depersonalization and dehumanization, in a frame of disincarnation of rights, we need to give our bodies and our relationships the place of honor that they deserve.

6.17 Italy And The Sex Market

Worldwide, Italians constitute the majority of international sex tourists⁴⁹⁹. Sex tourism is defined as "tourism with the intention of exploiting permissive or poorly enforced local laws concerning sex, especially sex with children"⁵⁰⁰.

A debate needs to be opened in our country on sex exploitation, especially when it regards children and poor women. The US Government in its 2017 Report on TIP pinpoints the inefficiency of the Italian Government in prosecuting citizens who commit abuses towards foreigners, children and poor people at the domestic and international levels. Whereas this abuse has been at least identified and somehow prosecuted at the domestic level, Italian offenders remain largely unpunished at the international level.

The number of Italians traveling for child sex tourism is alarming and can shed a light on the causes of the phenomenon of "prostitution" or cruel sex exploitation in the streets of our "civilized" country.

6.18 Vulnerability

The Abuse of the Position Of Vulnerability, mentioned in the Palermo

⁴⁹⁹ Ecpat (2015) Researching the sexual exploitation of children. Bangkok: Ecpat International. Available at <http://www.ecpat.org/wp-content/uploads/legacy/ECPAT%20Journal_5%20June%202015.pdf> [accessed 15 May 2017].

⁵⁰⁰ Sex Tourism (n.d.) in *Collins Dictionary*. Available at <<https://www.collinsdictionary.com/dictionary/english/sex-tourism>>. [accessed 9 March 2017].

Protocol has not been defined in detail, despite the fact that it is an “inherent feature” of almost all trafficking cases⁵⁰¹.

I argue that *ex ante*, *interim*, and *ex post* trafficking-related vulnerabilities have a major role in the different phases of trafficking. The first category comprises the elements preceding and thus facilitating the trafficking event, a sort of vulnerability-triggering factors: poverty, inequality, gender and age. The second group, *interim* vulnerabilities, embraces all the vulnerable factors resulting from manifest or silent violent actions performed by the exploiter's to induce: social isolation, dependency and irregular (or even regular in the Nigerian case) legal status. *Ex post* vulnerabilities are the subsequent ulterior vulnerabilities resulting from the disempowering exploitative experience: PTSD, loneliness, poor health condition, self-hate, nullification of self-esteem.

UNODC points out how the abuse of a position of vulnerability has been interpreted by some national legislation as exploitation and as the element vitiating consent⁵⁰². Some States consider the subsistence of a condition of vulnerability as a sufficient element to prosecute traffickers, whereas others consider it as a necessary but not sufficient element, to be eventually complemented by other proofs.

6.19 Regulating or Abolishing?

In order to dis-inflame the polarized debate on prostitution originating from a prostitution-as-work or a prostitution-as-violence ideology it could be helpful to analyze the real legal, social and political scenarios that they produce, as O'Connor suggests⁵⁰³.

The prostitution-as-work idea, in favor of legalization, produces: the

⁵⁰¹ UNODC (2012) Abuse of a position of vulnerability. p.3. Available at <https://www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf> [accessed 15 May 2017].

⁵⁰² Ivi, p.4.

⁵⁰³ O'Connor, M. and Healy, G.(2006) The links between prostitution and sex trafficking. CATW and EWL Project. Available at <https://cla.umn.edu/sites/cla.umn.edu/files/the_links_btwn_prostitution_sex_trafficking_a_handbook.pdf> [accessed 1 August 2017].

adoption of different laws separating prostitution and trafficking; growth of pornography and sex industry; spread of STDs; social legitimization of the commoditization of women, causing in turn higher levels of gender imbalance; normalization of men's rights to buy women; growth in the demand for child prostitution (demonstrated in Italy by the numerous arrivals of Nigerian teenagers); minimization of the multiple permanent physical and psychological illnesses, threats/risks to and vulnerabilities of people in prostitution; facilitating the environment for pimps, who are seen by society as managers; increase in rapes and sexual violence; creation of a second-class of women and/or human beings; raising the risk of disadvantaged children to be trapped in prostitution.

The prostitution-as-violence idea, in favor of gender equality and against legalization, produces: unification of prostitution and trafficking under the umbrella of gender-based violence; adoption of laws decriminalizing women and penalizing final exploiters; protection from sexual harassment; higher level of gender equality and higher social consideration of women; better legal, social and financial protection for those who wish to exercise the right to exit prostitution; better protection of vulnerable children; advancement of children's and women's rights. A unification of legislation sanctioning final exploiters would have an indirect (sanction on the final exploiters, lack of financial profit for the woman) negative impact on those, though a small minority, who freely wish to exercise prostitution for reasons which are beyond the scope of this research.

More importantly the real challenge consists not so much in defending either of the perspective described, but to adopt measures that contribute first of all to poverty reduction (guaranteeing protection from hunger, a topic which came out during many dialogues with the Nigerian girls) and then to the advancement of human rights for all, not only for a privileged part of the world. The right not to suffer from hunger and deprivation must have the priority over any other discussion. Until the States and civil

society do not seriously commit themselves to eliminate (not reduce but eliminate) poverty, phenomena such as prostitution, trafficking, slavery, criminality and exploitation will not disappear.

Only in presence of real economic alternatives can women be considered free to choose. Commercialization of freedom is more likely to take place in absence of alternatives. Freedom must be exercisable by all and not by a minority, as it happens in our contemporary society; being the most precious intangible endowment that human beings possess, freedom cannot and should not be commercialized.

CONCLUSIONS

The deafening silence of the UN on the proven and grave human rights violations related to prostitution is killing and harming thousands of children and young women every day.

The Palermo Protocol, a precious international instrument, has contributed much to the advancement of human rights since the year 2000. The product of a demanding mediation among very different national stances on prostitution, the Protocol chose to limit its intervention to trafficking. The quagmire provoked by definitory gaps of key terms such as exploitation and consent has left space for States to interpret the protocol differently. After 17 years since the adoption of the Protocol, the tragedy of HTSE has not stopped, on the contrary it has grown exponentially while the capacity of States to deal with this phenomenon remains extremely limited, as shown by the small number on convictions and the high number of victims.

The alarming and growing phenomenon of child trafficking for prostitution should push the international community to find a quick and advanced solution aiming at guaranteeing immediate protection to the most vulnerable human categories.

In the light of accountability for both actions and omissions, States have a positive obligation not only to guarantee protection to victims and prosecution of criminals but to prevent trafficking. In my view, prevention can become effective in presence of two interventions: 1) addressing the roots causes of three contemporary phenomena, namely trafficking, prostitution and migration, all of which are linked to poverty, unequal wealth distribution and colonization of poor countries' natural resources 2) promoting mentality change, not only through awareness campaigns, but above all, through appropriate legislation.

A mentality change is urgently needed. Sweden has shown that law can influence mentality much more than mentality influences law. The SPA, although a perfectible instrument, has driven a remarkable mentality change in the country: after the enactment of the law, not only has trafficking significantly declined but gender equality advanced so much that a high percentage of Swedish men changed their minds with regard to the social acceptability of prostitution as such.

The fact that demand nurtures trafficking has been widely demonstrated internationally. Therefore, the adoption by the Italian and Nigerian Government of new instruments addressing the demand for prostitution along with new proactive measures, proportionate to the dimension of the problem, would be highly beneficial. An adequate and complete response by States, in a prevention perspective, would need to remove all the discriminatory obstacles to equality and to prioritize equality over private interests.

The strong economic interests linked to the flourishing porn industry and prostitution serve as a brake on efforts to bring about the necessary change in the light of human rights. Questioning prostitution would also mean challenging the status quo of gender inequality in Governments still ruled by men who seem not ready to cast doubt upon the issue.

An experiment could be carried out, consisting of offering valid economic alternatives to people in prostitution. This would avoid the heated debate regarding the distinction between "voluntary" and "coerced" prostitution - a debate that, as already explained, ignores the issues of poverty and inequality that are constituent elements of the phenomenon.

In a context of migratory turmoil, instead of focusing on terrorism and criminality as an excuse to close borders, and on alleged protection measures as an excuse to repatriate victims of trafficking, States could again focus on fighting international and national inequality. This research also supports the idea of eliminating the conditionality, consolidated in

praxis, that links the victims' judicial cooperation to access to the measures of Art.18 including the permit of stay. The right to remedy and compensation for victims should also not be forgotten.

Behind the challenges of rights disincarnation, gender inequality, dignity humiliation, human rights violations, and power imbalance lies a deeper and more hidden problem that has to do with the choice to renounce to our humanity. All of us are looking for the promised land of happiness, even if we do not cross physical deserts. But this can never be found unless we allow people and events to touch our lives. This is because happiness hides in the beauty of our humanity.

The system of prostitution does not bring beauty. It benefits no one apart from criminal networks. It is anesthetizing men from their personal unresolved issues. It is inflicting permanent wounds and harming the psyche of teenagers and young girls for the rest of their lives. It is causing unhappiness, desperation, conflicts, mental and physical illness, violence, abuse and death. The current prostitution paradigm is harming and humiliating to all men and women, even those who do not directly engage in it, and is depriving all of us of our most beautiful natural feature: humanity.

Annex I

Reference to selected fieldwork data

Name	Date	Place	Age	Topic	Type of informant	Role	Type of data	Reference
Juliet	12/2/2015	Doctor's office, Palermo	21	Abortion	Key informant	Prostituted girl	Field notes	1
Juliet	16/2/2015	Port-Prostitution workplace in Palermo	21	Oath-taking	Key informant	Prostituted girl	Audio-recording	2
Happy	12/3/2015	Favorita-Prostitution workplace in Palermo	17	Age and Identity change	Key informant	Prostituted girl	Field notes	3
Annabelle	10/9/2015	Caritas Palermo	31	Life story	Key informant	Prostitution survivor	Audio-recording and International Protection Request	4
Precious	28/12/2015	Port of Palermo-Disembarkation	13-14 estimate	Trip from Nigeria to Lybia	Participant	Underage girl	Field notes	5
Blessing	15/1/2016	Don Bosco Ranchibile Palermo	28	Life story	Key informant	Prostitution survivor	Video-recording	6
Favour	4/2/2016	Addaura, Palermo	Unknown by her family. Estimate 16-22	Mami Wata Juju spirits	Key informant	Prostitution survivor	Video-recording	7

Favour	7/2/2016	Emergency Shelter	Unknown by her family. Estimate 16-22	Life story	Key informant	Prostitution survivor	3 Audio-recordings	8
Bella	20/7/2016	Port of Palermo-Disembarkation	13-14 estimate	Trafficker's Contacts	Participant	Underage girl	Field-note	9
Mimi	15/5/2016	Port-Prostitution workplace in Palermo	12-13 estimate	Work	Key informant	Underage prostituted girl	Audio-recording	10
Ifunanya	20/9/2016	Ballarò	22	Life story	Key informant	Prostitution survivor	Handwritten biography	11
Ifunanya	30/09/2016	Stadium Area	22	Oath in Nigerian culture	Key informant	Prostitution survivor	Audio-recording	12
Rose	4/10/2016	Immigration office	16	Age and identity change	Key informant	Underage Prostituted girl	Field-note	13
Ester	6/10/2016	Police office	17	Documents and Lawyers	Key informant	Underage Prostituted girl	Field-note	14
Matthew	7/10/2016	African church	30s	The Nigerian community in Palermo	Expert witness	Pastor	Field-note	15
Frank	9/10/2016	Ballarò	35	Nigerian NGOs in Palermo	Expert witness	Member of the Association of Nigerians in Sicily	Field-note	16
Abigail	10/10/2016	Ballarò	21	Life story	Key informant	Prostitution survivor	Audio-recording	17
Grace	22/12/2016	Virtual Space	16	Life story	Key informant	Underage girl	Email	18
Michele	4/1/2017	Pagliarielli Jail	unknown	Violence of	Expert Witness	Jail Worker	Field-note	19

				Nigerian madams				
Cynthia	12/1/2017	Her Homeplace in Palermo, Via Roma	22	Documents	Key informant	Prostituted girl	Audio-recording	20
Jessica	7/3/2017	Giulianova	20s	Life story	Key informant	Prostitution survivor	Audio-recording	21
Mary	3/4/2017	African church	24	Life story	Key informant	Prostitution survivor	Field-note	22
Mary	7/5/2017	Lawyer's office	24	Life story	Key informant	Prostitution survivor	International Protection Request	23
Sonia	14/6/2017	Vesterbro, Copenhagen	30s	Second Hand Market	Key informant	Prostituted girl	Audio-recording and Field-notes	24
Ruth	12/7/2017	Vesterbro, Copenhagen	20s	Shelter	Key informant	Prostituted girl	Audio-recording and Field-notes	25
Olabisi	9/10/2017	Stadium Area, Palermo	21	Life story	Key informant	Prostituted girl	Audio-recording and Field-notes	26

Annex II

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