

## LAW CLINICS AS TOOLS TO TACKLE THE PHENOMENON OF HUMAN TRAFFICKING: THE BAZE UNIVERSITY MIGRATION AND TRAFFICKED PERSONS LAW CLINIC ABUJA, NIGERIA

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### ABSTRACT

*In Nigeria, human trafficking is on the rise at an alarming rate. Most experts have attributed this to the economic hardship faced in the country. Therefore, for the trafficker it is a business, for the victim it is a means to get a better standard of living and even provide financially for loved ones at home. Migration is not illegal but human trafficking is illegal. The reason for its illegality can be found in the manner in which the victim starts their journey and the inhumane situation they end up in. There are a lot of rights being violated and the victim is sometimes denied access to justice for violations of those rights. It is against this background that the law clinic in Baze University, Abuja established a specialized unit called the Migration and trafficked persons Law clinic. One of the purposes of establishing this type of clinic is to contribute in curbing the menace, that is, human trafficking in Nigeria. The research methodology used for this paper is teleological methodology, meaning the paper is based on the experience of a supervisor that helped establish and run the Migration and trafficked law clinic at Baze University. The objective of the clinic, expected outcome and activities the students have been doing or about to do were discussed in this paper. The paper highlights that it is possible to run a clinic online and a specialized unit like the Migration and trafficked persons law clinic can be used as a tool to curb the phenomenon of human trafficking through raising awareness and providing access to justice. Therefore, it made bold to recommend other clinics should have specialized units, highlighting its advantages and also recommend that experiential learning helps to bring out students' interest and also create a career path for them in the long run.*

**Keywords:** Human trafficking, Law Clinic, Experiential learning, Migration, Awareness, Access to justice.

### 1.0 Introduction

In Nigeria human trafficking thrives, it is the third most common crime in Nigeria after drug trafficking and economic fraud.<sup>1</sup> In 2020 alone, despite the pandemic, the agency mandated to prevent human trafficking in Nigeria, National Agency for the Prohibition of Trafficking in Persons (NAPTIP), received and handled a total number of One Thousand and Thirty-Two (1,032) cases.<sup>2</sup> In 2021, it rescued over 17,000 victims of human trafficking and jailed over 550 traffickers. Its Director-General, disclosed this during a joint briefing in Abuja ahead of the 2021 World

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<sup>1</sup> UNESCO Institute for Lifelong Learning (UIL): annual report (2006)

<<https://unesdoc.unesco.org/ark:/48223/pf0000151102>> accessed 31<sup>st</sup> July 2021

<sup>2</sup> 2020 Data Analysis <<https://www.naptip.gov.ng/resources-new/>> accessed 31<sup>st</sup> July 2021

<sup>3</sup> Extract of the speech of the Director General of NAPTIP <<https://www.naptip.gov.ng/naptip-dg-promises-stringent-enforcement-of-tip-laws-scores-the-agency-high/>> accessed 31<sup>st</sup> July 2021

Day Against Human Trafficking scheduled for July 30, 2021.<sup>3</sup> Nigeria remains a source, transit and destination country when it comes to human trafficking.<sup>4</sup> The general factors that increase vulnerability to trafficking in Nigeria include extreme poverty, lack of economic opportunities, corruption, conflict/insecurity, climate change/resulting migration and western consumerism.<sup>5</sup>

One of the most alarming things, apart from the figures highlighted above, is the situation the victims of trafficking find themselves. The Association for Juridical Studies on Immigration (ASGI)<sup>6</sup> highlighted some of these problems faced by victims as follows:

- a) Human Rights violation from the onset of their journey to their destination or even in transit, and this may continue even in the country of destination i.e. they might find themselves being forced into labor, prostitution or any other act that will infringe on their human rights.
- b) Lack of sufficient data on returnees to Nigeria
- c) Lack access to justice for victims of these violations

Against this background, a specialized unit in the Law clinic at Baze University Abuja was established.

## **2.0 Background of the Baze University Law Clinic**

The Baze Law Clinic is a community-based law school program that provides students with experiential learning, while also providing pro-bono legal services and representation to under-represented and disadvantaged clients.<sup>7</sup> Students provide assistance to members of vulnerable population and unrepresented persons, by working under the supervision of law teachers and other qualified lawyers to interview and advice clients, conduct research, collect evidence, study case law, write letters, and draft court forms and documents and monitor the cases that are filed in court by the Clinic or on behalf of the Clinic.<sup>8</sup>

In a nutshell, students through the Law clinic, address social justice problems in their community and provide access to justice for those who may not ordinarily have access to it. In the spirit of the motto of the clinic; Access to Justice for ALL and the fundamental issues highlighted above that those migrants and trafficked persons face which amounts to social injustice and lack of access to justice, the Baze University Law Clinic can have a special unit known as: Migration and Trafficked Persons Law Clinic which will primarily tackle these issues.

## **2.1 Objectives of the Clinic**

- a) The Clinic offers students the opportunity to develop their legal skills especially in Migration Law and International Human Rights Law.

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<sup>4</sup> 2021 Trafficking in Persons Report < <https://www.state.gov/reports/2021-trafficking-in-persons-report/> > accessed 31<sup>st</sup> July 2021

<sup>5</sup> Nigeria: Human Trafficking Factsheet, September (2020) <<https://pathfindersji.org/nigeria-human-trafficking-factsheet/>> accessed 31<sup>st</sup> July 2021

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<sup>7</sup> Baze Law clinic handbook <<https://drive.google.com/file/d/113SHpR6syZys9mh0R4VBz0FOfOeYp9o2/view?usp=sharing> >

<sup>8</sup> *ibid*

- b) The Clinic will aid students to develop and practice some of the specialized technical and legal skills needed for Migration Law and Trafficked persons Law cases including effective written and oral communication with clients, parties and organizations, human rights advocacy, detailed legal research and drafting law.
- c) The Clinic seeks to provide high-quality and independent legal advice on complex issues in the field of National and International migration law
- d) Partner with Government agencies like NAPTIP, Nigerian Immigration, National Commission for Migrants, Refugees and Internally displaced persons and The Civil Society organizations like ASGI.
- e) Act as a bridge between migrants and trafficked persons and pro bono legal services, therefore granting them access to justice in respect to any human rights issue.

## **2.2 Expected Learning Outcomes**

The students will be, while participating in the clinic, are expected to:

- a) Demonstrate a critical understanding of the law through placement in a law practice or organization focused on migration, trafficked persons and human rights lawyering.
- b) Undertake practical experience with the range of activities in which lawyers engage to promote respect for human rights.
- c) Contribute to supporting social justice through assistance to marginalized clients seeking migration advice.
- d) Integrate the theory and practice of social justice and human rights lawyering and assist persons seeking asylum through the use of complex research, technical writing and advocacy skills.
- e) Critically reflect on the concepts of access to justice, human rights lawyering and professional responsibility.
- f) Identify and analyze barriers that disadvantaged persons face when accessing justice and the legal system.
- g) Identify and critically analyze issues in legal practice including the importance of pro bono contributions by the legal profession and their promotion of justice and service to the community.
- h) Demonstrate high level personal autonomy, expert judgment and accountability in dealing with specialized social justice and human rights issues, principles and concepts.

S/N	Students Activities	Objectives Of Students Activities	Outcome For Students	Outcome For Victims/Clients	Outcome For Partners (Government Agencies and Civil Societies)
1.	Client Interview	<ul style="list-style-type: none"> <li>To Learn client interview skills</li> </ul>	<ul style="list-style-type: none"> <li>Students will be able to demonstrate skills of interviewing Migrants/Asylum seekers and victims of Human Trafficking</li> </ul>	<ul style="list-style-type: none"> <li>An avenue to tell their story</li> </ul>	<ul style="list-style-type: none"> <li>To get information/facts about clients</li> </ul>
2.	Research And Data Collection	<ul style="list-style-type: none"> <li>To research on human rights violation of victims</li> <li>To collect data that will be used for individual cases</li> </ul>	<ul style="list-style-type: none"> <li>To learn how to gather data</li> <li>To learn to focus on what information to gather</li> <li>To draft questionnaires</li> </ul>	<ul style="list-style-type: none"> <li>To get registered and documented</li> </ul>	<ul style="list-style-type: none"> <li>Get sufficient data</li> </ul>
3.	Case File Management	<ul style="list-style-type: none"> <li>To know case file management</li> <li>Sensitivity of the case will allow them to know the importance of confidentiality</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrate how to label and manage clients files</li> </ul>	<ul style="list-style-type: none"> <li>Having a case file means getting closer to access Justice</li> </ul>	<ul style="list-style-type: none"> <li>Comprehensive details of each case</li> </ul>
4.	Advocacy	<ul style="list-style-type: none"> <li>Create awareness of the Rights of Asylum seekers and Migrants as well as those rights of Trafficked persons</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrate advocacy skills</li> </ul>	<ul style="list-style-type: none"> <li>have knowledge of their rights and how to access justice when such rights are infringed</li> </ul>	<ul style="list-style-type: none"> <li>create awareness for their mandate</li> </ul>
5.	Mooting	<ul style="list-style-type: none"> <li>Expose Students to an ideal opportunity to sharpen their analytical, drafting and pleading skills in International Courts</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrate skills in International Law Practice</li> </ul>	<ul style="list-style-type: none"> <li>Students knowledgeable in National and International Law will handle their case; therefore, a level of professionalism is applied in their case.</li> </ul>	<ul style="list-style-type: none"> <li>Students give them high-quality and independent legal advice on complex issues in the field of National and International migration law and trafficked Persons Law.</li> </ul>

2.3 The table above highlights proposed activities to demonstrate how the activities and expected outcomes above can be actualized in the migration and trafficked persons law clinic.

### 3.0 Activities of the Migration and trafficked persons law clinic of Baze University

This Clinic started functioning in amidst the COVID 19 pandemic. A google classroom was created. The following activities were virtually conducted under this unit:

- a) The Classroom is being used for weekly meetings and training. The purpose of the training is for students to be acquainted with the objectives of the clinic, and the concept of Migration and trafficking generally. During training sessions students are given tasks/assignments to do and report back to the clinic at the next session.
- b) The clinicians wrote a letter to The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) proposing a partnership and sent it via the clinic' email. NAPTIP replied with a positive response via the same channel. A partnership was formed.
- c) Also, clinicians decided to make an awareness video on trafficking.<sup>9</sup> Virtually, they held meetings and decided on the script to use for the awareness video, contents (images and videos) to use and the exact message they intend the video to pass across. As a means of getting content for their awareness video, the students of the clinic virtually interviewed a victim of trafficking. The interview took place on the 10th of December, 2020. The victim, who lives in Italy and now has an NGO to help trafficked victims, was impressed by the students of the clinic and she was ready to form a partnership with the clinic and her NGO. The interview was arranged by Turin University, Against Human Trafficking Law Clinic (AHTLC) Italy. This is a law clinic that has formed a collaboration with this unit of law clinic at Baze university.
- d) The students were invited for a virtual Round Table Discussion on Childhood Statelessness in Nigeria in commemoration of the 2020 #IBelong Campaign by the UNHCR. The round table held on the 18th of November, 2020 and it was well attended by students.
- e) The students were invited for a virtual meeting by the Turin University (Italy) Against Human Trafficking Law Clinic (AHTLC) and a collaboration was formed between the two clinics. The collaboration will entail the following:
  - i. AHTLC would help gather some information about the situation of trafficked Nigerian women in Turin/Italy for the awareness program Baze law clinic wants to embark on. This will also include some Italian NGOs in this conversation. It was decided that a victim of trafficking in Italy will be interviewed by M&TP law clinic of Baze University and AHTLC of Turin university will arrange this interview.
  - ii. The M&TP Law Clinic could potentially be involved in gathering country of origin information from Nigeria (mainly on the situation of returned victims of human trafficking) in order to support the cases handled at AHTLC.
  - iii. Students/alumni from Abuja/Turin will get connected in order to exchange experience and knowledge in a more informal way. For the purposes of the aforementioned and for purposes of case sharing a 'lack' account was created and students from both universities have been encouraged to use the platform for the purposes for which it was created. A google drive was also created to share materials and other necessary information.
  - iv. Presently, the two clinics are handling three cases together of trafficked victims from Nigeria to Italy.

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<sup>9</sup> Awareness on Human trafficking in Nigeria <<https://www.youtube.com/watch?v=MuyXr6VvQog&pp=sAQA>>

After ease of the lockdown the clinicians were able to carry out some field work:

- f) The clinicians (students that participate in the law clinic) have decided to achieve this by participating in a walk from Utako market to Jabi park and they did street law in both of these places. This event took place on the Saturday, 10th July, 2021. The theme of the walk and street law is: Youth against human trafficking project.<sup>10</sup> The clinicians partnered with two law clinics from two universities: University of Abuja Law Clinic and Nile University of Nigeria; they also partnered with the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) to aid in actualizing the goal of this activity. Prior to the walk and street law, consent forms were given to the students to give to their parents/guardians to sign and consent to their participation of the walk and street law. The clinic received twenty (21) signed consent forms. On the 2nd of July, 2021, in a bid to prepare for the activity, had a street law training session facilitated by one of the supervisors in the clinic, where they learnt how to draft a lesson plan for the street law.
- g) The clinic, together with NAPTIP, United Nations Office on Drugs and Crime (UNODC) and International organization for migration IOM and other stakeholders had an eventful three days to mark the 2021 world day against human trafficking.<sup>11</sup> The events include: An awareness walk, a Conference and a football match.

#### **4.0 Findings**

Through this experience, although quite short since the clinic is new, the following have been observed:

- a) Any type of clinic can be operated or ran online/virtually
- b) It was when this clinic started that a lot of the students knew about the situation of human trafficking in Nigeria and around the world.
- c) Getting students or the youth involved in a social problem or global phenomenon like human trafficking can help in the following ways:
  - i. Raise awareness which could lead to prevention
  - ii. Create a conduit for victims to get access to justice
  - iii. They might connect with some victims who are their peers better than officials of some agencies or NGO', therefore more information will be retrieved and victim can have access to justice.
- d) With a specialized unit like the Migration and trafficked persons law clinic, students develop interest which could lead to a career path.

#### **5.0 Recommendations**

- a) Experiential learning is a method of teaching that outweighs any learning in the classroom. Teach students by making them do things. This is one of the functions of a law clinic.
- b) It is recommended that clinics should create specialized units. The advantage is indeed tremendous for both the students and the community. One of such advantages is that the clinics

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<sup>10</sup> Youth Against Human trafficking project

<<https://drive.google.com/drive/folders/1OWtW6bN9WCwEhhRJHCU4Ksn8qHW5quP?usp=sharing>>

<sup>11</sup> 2021 World day Against Human Trafficking

<[https://drive.google.com/drive/folders/1WZE\\_rqnn7VEGjT5f2EK1L13gAbsjeWhR?usp=sharing](https://drive.google.com/drive/folders/1WZE_rqnn7VEGjT5f2EK1L13gAbsjeWhR?usp=sharing)>

serve as tools to address or tackle any menace in the society.

- c) Allow the students handle projects in the clinic, the teachers should just supervise. The simple reason is that it is their involvement that would make more impact in the society, and it is of great advantage to them.

## **6.0 Conclusion**

Most of the objectives highlighted above that the clinic seeks to achieve are already being realized. For example, in the area of raising awareness and collaborations or partnership with other law clinics and government agencies for the sole purpose of tackling human trafficking is already being done. Having three cases on ground, the clinic has already started paving way for access to justice for victims. In a bid to display humanitarian aid, it will also try to reconnect the victims of the three cases with their families. In its own way, the migration and trafficked persons law clinic, contributes its own quota to prevent and prohibit human trafficking in Nigeria.