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**ILO PROPOSED STRATEGIES FOR
COMBATING TRAFFICKING IN PERSONS
AND FORCED LABOUR THROUGH
NIGERIA'S POVERTY REDUCTION SCHEME
(NEEDS AND SEEDS)**

**ILO - SPECIAL ACTION PROGRAMME
AGAINST TRAFFICKING AND FORCED
LABOUR IN WEST AFRICA
(PATWA)**



In collaboration with
FEDERAL MINISTRY OF LABOUR AND PRODUCTIVITY

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LIST OF ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
FCT	Federal Capital Territory
GDP	Gross Domestic Product
HIV	Human Immuno-deficiency Virus
ITN	Insecticide Treated Net
ILO	International Labour Organisation
CR-SEEDS	Cross River State Economic Empowerment and Development Strategy
K-SEEDS	Kano State Economic Empowerment and Development Strategy
KWA-SEEDS	Kwara State Economic Empowerment and Development Strategy
LASEEDS	Lagos State Economic Empowerment and Development Strategy
NAPEP	National Poverty Eradication Programme
NAPTIP	National Agency for the Prevention of Trafficking in Persons
MDA	Ministries, Departments and Agencies
MDG	Millennium Development Goals
MTEF	Medium Term Expenditure Framework
MTSS	Medium Term Sector Strategies
NASS	National Assembly
NDE	National Directorate of Employment
NEEDS	National Economic Empowerment and Development Strategy
PATWA	Action Programme Against Forced Labour and Human Trafficking in West Africa
SEEDS	State Economic Empowerment and Development Strategy
SME	Small and Medium Enterprises
UBE	Universal Basic Education
UN	United Nations

EXECUTIVE SUMMARY

This Study seeks to determine and propose ways of linking anti-human trafficking and forced labour measures in general, and the Action Programme against Forced Labour and Trafficking in West Africa in particular, with the National Economic Empowerment and Development Strategy (NEEDS) at the federal level and the State Economic Empowerment and Development Strategy (SEEDS) at the state level in four pilot states of Kano, Kwara, Lagos and Cross River States. The goal is to ensure that the implementation of these programmes target victims of and groups vulnerable to human trafficking and forced labour. The specific terms of reference are:

- *to study the NEEDS programme and SEEDS of PATWA's four focal states-Kano, Kwara, Lagos and Cross Rivers in order to understand their strategies for poverty alleviation;*
- *to describe to what extent these policies already incorporate a strategy to prevent and address human trafficking and forced labour in their design and to highlight objectives and activities contained in them that could be relevant to combating human trafficking though not specifically mentioned;*
- *to describe current implementation of these elements of the strategy at the national and state levels and shifts in budgetary allocations to fund them;*
- *to recommend ways in which PATWA can advocate for including the target groups described above, particularly women and youth in future implementation;*
- *to suggest interventions that PATWA can undertake and alliances it should make in the four States to alleviate poverty of victims of and groups vulnerable to human trafficking and forced labour;*
- *to examine poverty monitoring systems being applied and recommend ways in which vulnerability to forced labour and human trafficking can be included as indicators.*
- *to identify expected outcomes of the proposed State level interventions.*

The Study is divided into Ten Sections. The First Section deals with background and introductory issues, the terms of reference and the link between poverty, forced labour and trafficking in persons. It also reviews the various issues that contribute to forced labour and human trafficking. The Second Section delineates the contours of forced labour and reviews the

1. BACKGROUND

This Study seeks to determine and propose ways of linking anti-trafficking and forced labour measures in general, and the Action Programme against Forced Labour and Trafficking in West Africa in particular, with the National Economic Empowerment and Development Strategy (NEEDS) at the federal level and the State Economic Empowerment and Development Strategy (SEEDS) at the state level in four pilot states of Kano, Kwara, Lagos and Cross River States¹. The goal is to ensure that the implementation of these programmes target victims of and groups vulnerable to human trafficking and forced labour. The specific activities include a description of the extent NEEDS and SEEDS incorporate a strategy to prevent and address trafficking and forced labour; current implementation of these policies and shifts in budgetary allocations to fund them; examine poverty reduction and monitoring systems being applied and recommend ways to include vulnerability to forced labour and trafficking as indicators. It also seeks to identify expected outcomes and state level interventions.

The Study is proceeding from the background that various studies have linked trafficking and forced labour to poverty. Forced labour and trafficking have also been strongly linked with the search for employment, better and sustainable means of livelihood, ignorance on the part of the trafficked and the exploitation of this ignorance by the traffickers, lack of access to education, traditional and cultural fostering practices that have been abused, etc². Poverty in this context includes absence of opportunities to maintain an adequate standard of living, low educational status or the lack of education, poor health indicators and lack of access to basic infrastructure (water, roads, electricity, etc) necessary for a dignified living. It also includes issues related to the lack of capacity to participate meaningfully in decision making affecting ones life. Other issues that affect and have contributed to the menace of trafficking in persons and forced labour include ignorance of the risks involved, cultural values and traditional practices, high demand for cheap and submissive child labour, corruption, weak institutional mechanisms, preponderance of the informal economy, lack of political leadership at the grassroots level, inadequate control of the nations porous borders, etc³

¹ NEEDS had earlier started as an attempt to develop a Poverty Reduction Strategy Paper (PRSP).

² See Sarah B.A. Oloko (ILO, Abuja, 2004), *Report on Mapping of Existing Information and Materials on Forced Labour and Trafficking in Nigeria; Baseline Study on Forced Labour and Human Trafficking in Kwara, Kano, Cross Rivers and Lagos States in Nigeria* (ILO, Abuja, 2005); *Situation Assessment of Child Trafficking in Eleven Southern Nigeria States* (NATIP AND UNICEF, 2005).

³ *Baseline Study on Forced Labour and Human Trafficking in Kwara, Kano, Cross Rivers and Lagos States in Nigeria* (ILO, Abuja, 2005);

Nigeria is a party to various international standards⁴ that prohibit forced labour and human trafficking and has also enacted local laws⁵ to stem the tide. It is against the background of linking laws and policy, planning (for the elimination of forced labour and trafficking) and budgeting that this Study undertakes to examine the existing situation while proffering an advocacy strategy for the enhanced realization of the freedom from forced labour and trafficking. However, before proceeding further, it is imperative to briefly delineate the peculiar contours of forced labour and trafficking in persons.

2. TRAFFICKING IN PERSONS

Trafficking has been defined in article 3 (a) of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children⁶ as follows:

(a) ..the recruitment, transportation, transfer, harboring or receipt of persons by means of 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, for the purpose of exploitation.⁷ Exploitation shall include, at a minimum, the exploitation of the prostitution of others and other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

(b) the consent of a victim of trafficking in persons to the intended exploitation set forth in sub paragraph (a) of this article shall be irrelevant where any of the means set forth in sub paragraph (a) have been used.

⁴ See the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children Supplementing the Convention on Transnational and Organized Crimes, and signed in Palermo Italy in 2000. The ILO Forced Labour Convention No.29 of 1930; the Slavery Convention and its Supplementary Convention of 1927 and 1957. Although not directly on the subject of trafficking or forced labour, regional and international standards like the African Charter on Human and Peoples' Rights and the Covenant on Civil and Political Rights which guarantee the right to dignity of the human person are essentially against forced labour and human trafficking.

⁵ The Constitution of the Federal Republic of Nigeria 1999 which in its Chapter Four on Fundamental Rights entitles all to dignity of the person; Criminal and Penal Codes and the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 as amended. The 2003 Ratification and Enforcement Acts of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children and the United Nations Convention Against Transnational and Organised Crime are also part of domestic law.

⁶ Supra.

⁷ Underlining supplied for emphasis on the key issues that hallmark trafficking.

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if it does not involve any of the means set forth in subparagraph (a) of this article

The interpretative S.50 of the Trafficking in Persons (Prohibition) Law Enforcement and Administrative Act defines trafficking as including:

All acts and attempted acts involved in the recruitment, transportation within or across Nigerian borders, purchase, sale, transfer, receipt or harbouring of a person involving the use of deception, coercion or debt bondage for the purpose of placing or holding the person whether for or not in involuntary servitude (domestic, sexual or reproductive) in forced or bonded labour, or in slavery like conditions.

And whoever commits, aids, abets or acquiesces to an act of trafficking in persons is deemed to be a trafficker. The focus of the Nigerian Trafficking in Persons Act is heavy on the prostitution side and lists offences like procurement of persons for prostitution, pornography and armed conflict, foreign travels that promote prostitution, unlawful detention with intent to defile, procuring defilement with threats, fraud or administering drugs. However it also includes kidnapping from guardianship, buying or selling a person for a purpose, unlawful forced labour, slave dealing and trafficking in slaves. The Criminal Code⁸ and the Penal Code make several provisions relating to trafficking in persons but more on the side of prostitution and taking advantage of the prostitution of others.

However, the foregoing laws merely define offences and create penalties without any attempt to link human trafficking and forced labour to the social issue of poverty. Essentially, these laws suffer the flaw of attacking the symptoms of a problem rather than getting to its root.

3. FORCED LABOUR

Although not synonymous with slavery, forced labour is related to slavery and slavery like conditions. It is so important that the 1999 Constitution in S. 34 on the right to dignity of the human person expressly forbids holding a person in slavery or servitude and further, "no person shall be required to perform forced or compulsory labour". The Constitution did not however offer a definition of slavery or servitude neither did it of forced labour but stated what constitutes exemptions to the norm in matters of forced labour⁹. But taking a cue from international standards, the ILO's Forced Labour Convention of 1930 offers a working definition:

⁸See *inter alia* S.223 (2) of the Criminal Code and SS. 275 and 279 of the Penal Code.

All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

The Constitution being the *grundnorm* has laid down the framework for the articulation of the meaning of slavery and forced labour by other statutes. However, it is clear from the Constitution that freedom from slavery and forced labour are non derogable rights which have no restrictions in the claw back provisions of S.45 (of the Constitution) dealing with derogations from fundamental rights in the interest of defence, public safety, public order, public morality or public health. Thus any violation of the freedom is actionable and unconscionable.

S.279 of the Penal Code states that:

Whoever imports, exports, removes, buys, sells, disposes, traffics or deals in any person as a slave, or accepts, receives or detains against his will any person as a slave, shall be punished with imprisonment for a term which may extend to fourteen years and shall also be liable to a fine.

The interesting aspect of this section of the Penal Code is that it combines trafficking with matters pertaining to slavery.

Considering that NEEDS' vision is anchored on the Constitution, there are provisions in Chapter II of the Constitution on the Fundamental Objectives and Directive Principles of State Policy that are relevant to this Study. Particularly relevant are intentions of the constitution which if realized would create a conducive climate against trafficking and forced labour. A few of the provisions and their linkages to Trafficking and forced labour are shown in Table 1.

⁹Any labour required in the execution of a sentence of a court; labour required of members of the armed forces or the police in the execution of their duties; for conscientious objections to military service, any labour required instead of such service; any labour required during emergencies or calamity threatening the life or well being of the community; normal communal or civic obligations required for the wellbeing of the community, compulsory national service in the armed forces as may be prescribed by the National Assembly and such compulsory national service forming part of the training and education of citizens.

Table 1

Provision	Issues Addressed
S.14 (2) (b): The security and welfare of the people shall be the primary purpose of government;	Material conditions that will improve livelihoods and reduce vulnerability to human trafficking and forced labour.
16 (2) (d): The state shall direct its policy towards ensuring that suitable and adequate shelter, suitable and adequate food, reasonable national minimum living wage, old age care and pensions and unemployment, sick benefits and welfare for the disabled are provided for all citizens.	Same as above
S17 (2) (b): the sanctity of the human person shall be recognized and human dignity shall be maintained and enhanced. (3) The state shall direct its policy towards ensuring that	Same as above . A trafficked person or one who is forced to perform labour has been subjected to inhuman and degrading treatment, hence an infraction on his dignity.
(a) all citizens without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment; (b) Conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life;	If conditions of work are just and humane, then forced labour will be history.
(c) the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused;	

Table 1 Cont.

(d) there are adequate medical and healthy facilities for all persons;	
(e) there is equal pay for equal work without discrimination on account of sex, or any other ground whatsoever;	Protection of children and young persons from exploitation saves them from forced labour and trafficking.
(f) children, young persons and the aged are protected against any exploitation whatsoever, and against moral and material neglect;	State obligation to assist vulnerable persons so that they may not be trafficked or bonded into forced labour.
(g) provisions is made for public assistance in deserving cases or other conditions of need.	
S21 (a): The State shall protect, preserve and promote the Nigerian cultures which enhance human dignity and are consistent with the Fundamental Objectives as provided in this Chapter.	Specific protection for cultural values that are positive. Such protection is not available for negative fostering cultures which promote trafficking and forced labour as they will be deemed unconstitutional, repugnant to natural justice, equity and good conscience.

Just and humane conditions of work and protection of children and the vulnerable against exploitation will ultimately eliminate forced labour. Although these provisions are generally not justiciable, if the state fulfils these obligations contained in Chapter II, then trafficking and forced labour will no longer be a major social problem. The non justiciability of these provisions do not however remove state obligation to take steps and move expeditiously within the limits of available resources towards the progressive realization of these rights and freedoms¹⁰.

4. NEEDS, POVERTY REDUCTION, FORCED LABOUR AND TRAFFICKING

NEEDS is Nigeria's home grown medium term economic programme focused on wealth creation, employment generation, poverty reduction and value re-orientation. It seeks to empower the people through reforms in health, education, environment, integrated rural development, housing development,

¹⁰ See the jurisprudence developed by the Committee on Economic, Social and Cultural Rights in General Comment N.3 (Nature of State Parties Obligations) under article 2 (2) of the Covenant on Economic, Social and Cultural Rights. Nigeria is party to the Covenant and reports at intervals to the Committee.

employment and youth development, safety nets, gender, geopolitical balance and pension reforms. In promoting private enterprise, NEEDS focuses on security and the rule of law, infrastructure, finance, sectoral strategies, privatization, liberalization, trade, regional integration and globalisation. In changing the way government works, NEEDS expects to deliver public sector reforms, improve governance, transparency and accountability, service delivery, budget and expenditure reforms.

In the education sector, NEEDS targets universal basic education as contemplated in the UBE Act. The Child Rights Act further makes it compulsory for all school age children to be in school failing which their parents or guardian will be a guilty of a criminal offence. For the health sector, the National Health Insurance scheme is proposed as a panacea.

In NEEDS, poverty is identified as having many causes all of which reinforce one another. Basically:

One source of poverty is the lack of basic services, such as clean water, education and health care. Another is lack of assets, such as land, tools, credit and supportive networks of friends and family. A third is lack of income including food, shelter, clothing and empowerment (political power, confidence and dignity). Some of these factors directly affect poverty. Others contribute indirectly by producing inequality¹¹.

NEEDS understands that not all the people enjoy the same chance of prosperity and recognizes the need to tackle social exclusion by paying attention on generating jobs to improve incomes, housing, health care, education, political power and physical security¹². It canvasses a human rights approach to development planning that places people at the centre of development efforts¹³. Proceeding further, it lists special programmes that will protect the rural and urban poor, people living with HIV/AIDS, women, widows and widowers, victims of unemployment or loss of income. Essentially its Table 2 details the actions that will be taken to address vulnerability¹⁴. This table is presented based on the understanding that vulnerability predisposes its individuals to being trafficked and or to be subjected to forced labour.

¹¹ NEEDS at page xiv.

¹² NEEDS at pages xiii and xv.

¹³ NEEDS - *The Social Charter: Investing in the Nigerian People*, p.28.

¹⁴ NEEDS at page xvii.

Table 2 Cont.

Table 2-	Targeted Instruments for Protecting Vulnerable Groups
Group	Instruments and Interventions
Rural poor	Access to credit and land; participation in decision making; agricultural extension services; improved seeds, farm inputs and implements; strengthening of traditional thrift, savings and insurance schemes.
Urban poor	Labour intensive public works schemes; affordable housing, water and sanitation; skill acquisition and entrepreneurial development; access to credit; scholarships and adult education.
Women	Affirmative action (to increase women's representation to at least 30%) in all programmes; education including adult education; scholarship; access to credit and land; maternal and child health.
Youth	Education, entrepreneurial development, skill acquisition, access to credit, prevention and control of HIV/AIDS and other sexually transmitted diseases.
Children	Children's Parliament, juvenile justice administration, universal basic education, education for girls, care of orphans and vulnerable children (children affected by HIV/AIDS), prevention and treatment of childhood diseases.
Rural communities	Water, rural roads, electricity, schools, health facilities, communications.

NEEDS seeks to implement an integrated rural development programme to stem the tide of migration from rural to urban areas. In terms of the rural poor, NEEDS focuses a good deal of its attention to agriculture. However, agriculture is one of the areas that the government believes that private sector should play the leading role. With a projected expenditure of not more than 4% of the total capital budget per annum over the Medium Term Framework of 2004-2007, agriculture (see Table 3) may not likely play the role expected of it. In other sectors, such as affordable housing, water and sanitation for the urban poor, the services are being privatized and have started attracting user fees which were not hitherto the case. In some states, the idea apart from full cost recovery is to make profits from these services. Affirmative action for women is still seen in the realm of ideas and paper work; both the federal and state governments have done practically little in the direction of realizing the 30% target in women's representation and participation in governance.

NEEDS security and justice sector reform agenda includes making the criminal justice system in Nigeria more effective. This could be linked to ensuring that offenders of anti trafficking laws are apprehended, prosecuted and punished according to law and also to provide proactive solutions that seek to nip trafficking in persons and forced labour in the bud. However, unlike other agencies like the Independent Corrupt Practices Commission, Economic and Financial Crimes Commission and the National Agency for Food and Drug Administration and Control and the Nigerian Police that were specifically mentioned in NEEDS, the National Agency for the Prevention of Trafficking in Persons (NAPTIP) was not specifically mentioned in NEEDS¹⁵.

NEEDS under the heading "Ensuring the Welfare of Children" proposes to enforce the protection of children from all forms of abuse, neglect, exploitation (economic and sexual), child trafficking, all forms of violence and hazardous work¹⁶. Thus NEEDS only takes cognizance of trafficking and forced labour within the context of the rights of the child as detailed in the Child Rights Act of 2003. Child labour and poor working and living conditions at mine sites are also seen as problems in the solid minerals sector. The foregoing position of NEEDS are understandable considering that the 2003 Trafficking Act and the agency it sets up NAPTIP had not become fully operational at the time of the formulation of NEEDS. In Table 3, NEEDS articulates risks, at risk groups and formal responses that are proposed..¹⁷

Table 3: Risks, At-Risk Groups, and Formal Responses

Risks	At-Risk Group	Formal Response
Natural: Droughts, floods, erosion, rainstorms, and food losses due to pests	Well-to-do, poor, rural men and young men, rural women and young women	Irrigation, agricultural extension services afforestation, agro-forestry, agricultural insurance
Environmental: Deforestation, Desertification, oil spillage.	Poor, rural men and young men, rural women and young women	Environmental measures to stem pollution, tree-planting campaigns, agro-forestry, incentives to convert to alternative energy use, enforcement of standard oil field practices

¹⁵ NEEDS; Chapter 9 on Improving Security and Administration of Justice.

¹⁶ NEEDS, p.46.

¹⁷ NEEDS-Table 4.3.

Table 3 Cont.

Labour: loss of job, drop in income	Poor, urban youth	Institutionalization of unemployment insurance
Social: HIV/AIDS, infant and maternal mortality	Well-to-do, poor rural men and young men, rural women and young women, urban men and young men, urban women and young women.	Comprehensive health centres, government immunization and inoculation programme, health insurance scheme, HIV/AIDS programme, universal basic education
Gender: Unwanted pregnancies and sexual transmitted diseases, job discrimination, harmful traditional practices	Poor, urban and rural women and young women	Sex education at appropriate stage in school, social welfare counseling, enforcement of rights, appropriate legislation, advocacy
Life events: Death of spouse, old age	Well-to-do, poor, urban men and young men, urban women, rural women and young women	Pensions and reform of inheritance laws
Conflict: Ethnic conflicts, armed robbery, child abuse	Well-to-do, poor, rural and urban women, young women, and girls; urban men and young men	Police, social welfare counseling, National Refugee Commission, Criminal Justice System
Macroeconomic: Macroeconomic Instability, Unemployment	Poor, urban men, women, and youth	Stable macroeconomic policy, social safety nets.

Looking at labour, loss of jobs and drop in income, the formal response proposed for it in terms of institutionalization of unemployment insurance sounds utopian and considering the socio economic climate of Nigeria, may not be feasible in the next ten

years. The health insurance scheme is only available to formal sector employees. And the challenge is how to extend the scheme to informal sector workers who constitute a sizable part of the working population and from whom traffickers draw most of their victims. The safety nets linked to macroeconomic instability are also not yet in place. Further, macroeconomic stability *per se* will not remove vulnerability to forced labour and trafficking, particularly if the stable macroeconomic situation is already tilted against the poor and vulnerable. Considering Nigeria's current macroeconomic situation, what is needed is a change from the negative macroeconomic indicators of high inflation rate, devalued national currency, high unemployment rates, poor capacity utilization in industries to more positive indicators which will create wealth, add value and facilitate new jobs.

5. SEEDS, POVERTY REDUCTION, FORCED LABOUR AND TRAFFICKING

Although State Economic Empowerment and Development Strategy (SEEDS) at the state level do not necessarily reproduce the federal NEEDS, NEEDS offers the framework which SEEDS followed. Although there may be 36 states and a federal capital territory, Nigeria has only one economy hence the need for the harmonisation of economic and social plans and strategies to achieve the ultimate goal of development and enhancement of the living standards of Nigerians. The interrelatedness between NEEDS and SEEDS is such that the non-realisation of any major aspect of NEEDS will impact negatively on the realization of the vision of the SEEDS at the state level. The SEEDS of the respective focal states will now be reviewed in the light of trafficking in persons and forced labour.

A. CROSS RIVER STATE ECONOMIC EMPOWERMENT AND DEVELOPMENT STRATEGY (CR-SEEDS)

In CR-SEEDS' analysis of its strengths, weaknesses and opportunities, it noted the lack of employment as a threat. It states that:

This has led to the increased incidence of human, particularly children trafficking. Our children are being sent mainly to work in the cocoa farms in the western part of the country for paltry sums of money at appalling conditions. Some who do not return are lured away on the pretext of being offered gainful employment only to end up at brothels¹⁸.

Thus, trafficking and forced labour are recognized at the outset as a challenge to the state. In chapter 12 dealing with pension reforms and safety nets, the problem of vulnerability is identified as follows:

¹⁸ CR-SEEDS at page 19.

The rural poor and some urban poor face the risk of natural droughts, floods, erosion, rainstorms and food loss due to pests, and absence of storage facilities for farm products. They also face the risk of deforestation, water pollution from various sources including oil spillage and invasion of nina palms in the coastal areas.

The urban poor is often at risk of loss of jobs and income during recession and retrenchment. Also, life events, such as death of spouse and old age could be quite traumatic. People go into debts to meet the requirement of local traditional beliefs and practices.

Apart from harmful traditional practices encountered by women, the girl child is at...the risk of being trafficked thus compounding her exposure to prostitution and HIV/AIDS. AIDS orphans are also marginalized and unprotected.

CR-SEEDS in identifying solutions to these problems recognizes that poverty is multi faceted and plans to increase the income of the average rural dweller from the present N5,000 - N10,000 monthly to N50,000 by 2007; to increase access to infrastructure, reduce unemployment, provide skills, and create 10,000 jobs. It also seeks to protect children's welfare through the strict enforcement of the Child Rights Act.

From the gender perspective, CR-SEEDS seeks to increase awareness of the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); promote access of 50% of Cross River women to micro-finance and other poverty alleviation schemes with a view to reducing poverty among women, expand skills acquisition, bridge the gap in enrolment and retention ratios between boys and girls, ensure equitable representation of women in politics through affirmative action. The *Women Arise and Move Programme* was specifically devised to encourage women empowerment in all facets of life.

The State also has a poverty reduction programme tagged *Peoples Empowerment Programme Initiative*. Cooperatives and thrift societies are recognized as central to poverty reduction. Part of the strategies targeting the youth is a sustained campaign against drug use and abuse, cultism, prostitution as well women and child trafficking. It also targets dealing with the problem of youth unemployment to absorb those displaced by the reform process. The youth are to be protected from all forms of abuse, neglect and exploitation including economic exploitation, sexual exploitation and the use of children in criminal activities, child trafficking, all forms of violence and all forms of hazardous work.

From available information, CR-SEEDS recognized the challenge of trafficking in persons and forced labour but failed to provide concrete mechanisms to tackle the problem headlong. Although a number of provisions are made on poverty alleviation, however they fall short of a targeted response to trafficking in persons and forced labour.

B. KANO STATE ECONOMIC EMPOWERMENT AND DEVELOPMENT STRATEGY (K-SEEDS).

K-SEEDS sets the broad objective of its policy framework as outlining a realistic, coherent, achievable and socially consistent path to human development; a medium term policy plan, consistent with NEEDS that outlines the government's development agenda for the period 2005-2007¹⁹. The following are listed as the priority areas vis-implementation of Shariah and societal re-orientation programme, mass food production, water supply, health, education, security, private sector development particularly SMEs, reducing poverty, wealth creation and generating employment²⁰. K-SEEDS comes with a projects summary indicating the projects to implement the policy framework²¹.

K-SEEDS is silent on trafficking in persons and forced labour but has provisions on poverty alleviation. It describes poverty as the bane of development and states the policy targets to include creation of 15,000 additional jobs by the year 2007, improve the literacy rate among the poor by 50 % by the year 2009, increase the number of registered cooperative societies by 255 by the year 2006, increase access to and volume of credit to the poor by 50% by the year 2007, eliminate street begging by the year 2010 and improve access to social services such as water, education, health, sanitation, justice and security for the poor. The main strategies for the realization of the targets are provision of skills acquisition opportunities, micro-enterprise development, youth development and non formal education, provision of special support for widows to minimize incidences of women having to fend for themselves and their children; promoting desirable qualities such as discipline, honesty, hard work, good neighbourliness and patriotism.

19 See K-SEEDS Policy Framework, page 33.

20 The mission of the Kano State government is stated to be to make Kano State self sufficient in food production and an advanced society that has self-pride and practices good ethical conduct in all its affairs while the vision is to transform Kano State into a God fearing, disciplined and honest and transparent state. Its goals and objectives is to make Kano State to become a benchmark in terms of economic development and social justice in the country.

21 See K-SEEDS Projects Summary prepared by the Ministry of Planning and Budget.

For the education sector, K-SEEDS recognizes the *almajirai* phenomenon as a challenge and posits the reduction in the number of *almajirai* by 30% before the year 2007. It also recognizes as threats the increased number of immigrants coupled with rural to urban migration; significant number of dropouts especially at the secondary school level.

From a gender perspective, K-SEEDS targets to increase women literacy levels by 50% by the year 2007 and also double the productivity of women's agricultural work and to increase the rate of female enrolment at primary, secondary and tertiary levels by 30% by the year 2007.

In Youth Empowerment, K-SEEDS targets *inter alia* the creation of 5000 functional jobs for youths in development centred industries such as information technology by the year 2007, achieve 90% placement rate in higher institutions so that Kano fills its quota in strategic courses in relevant tertiary institutions by the year 2009, eliminate/minimize cases of drug abuse among youths by the year 2007 and reduce the number of youth beggars in the street by half by year 2009. The implementation strategies are the provision of adequate resources to implement the youth related programmes, maintaining a peaceful and secure environment, provision of easy access to knowledge, information, skills and improved guidance and counseling support in schools.

Considering the rural urban drift in terms of migration and the impact of lack of rural infrastructure on migration to the urban areas, the ministry of water resources and rural development should attract attention from any study in trafficking and forced labour. However, it appears that the focus, policy and targets of the ministry starts and ends with water supply²².

In the mission statement of the Kano State Government, self sufficiency in food production was specifically mentioned. Poverty reduction is incomplete without reduction in the number of the hungry and the malnourished and self sufficiency in food production and the accompanying social distribution is the foundation for reducing food related vulnerability. Essentially proper investment and targeting of vulnerabilities in the agricultural sector can reduce vulnerability to human trafficking and forced labour since agriculture employs over 40% of the population.

²² See K-SEEDS Policy Framework, pages 37-40

C. KWARA STATE ECONOMIC EMPOWERMENT AND DEVELOPMENT STRATEGY (KWA-SEEDS)

The achievement of sustainable development in Kwara State is based on the premise that development goals can be attained by creating an environment conducive to socio-economic, cultural and political transformation. KWASEEDS represents the commitment of the state government to empower the people to enable them take advantage of current and future opportunities. This is addressed from three pillars namely human development, promoting the private sector and changing how government does its work.

The adult literacy rate in Kwara is 56% and the education sector recognized some challenges which include mustering the political will to fight against harmful traditional practices of early marriage, child-hawking, etc in a hostile political milieu and low level political culture. Kwara is recognized as one of the states that supply persons for trafficking and forced labour. KWA-SEEDS states as follows about the poverty profile:

Poverty is pervasive in Kwara State. The percentage of people living below poverty line was 60.03%²³. It is characterized by malnutrition, illiteracy and ignorance, poor health, diseases, abuses of children and women's rights, juvenile delinquency, teenage pregnancy, HIV/AIDS, high infant mortality, low life expectancy, squalid surroundings, physical insecurity, social exclusion and neglect of members of the vulnerable groups. Also, according to UNDP, Kwara State compares poorly with national standards in terms of Human Development Index (HDI); life expectancy, adult literacy, educational attainment, mean household income and percentage of junior secondary school enrolment. Two, empirical data indicated that the National Human Development Index (NHDI) for 2003 is 0.406, but for Kwara State, the corresponding figure is 0.183. This is rather on the high side and unacceptable. The State Government recognizes that, as long as poverty exists, there cannot be any meaningful development.

The state has therefore programmed the following initiatives against poverty.

- a. **Rural Poor:** Back to land programme, provision of improved seedlings and preparation of land, provision of farm implements to small holder farmers and establishment of micro-credit schemes, skill acquisitions for self-employment through National Directorate of Employment (NDE) and bee farming, payment of bursary and external examination fees.

²³ Kwara State Poverty Profile 2002.

b. **Urban Poor:** Labour intensive public works through establishment of Waste Management Scheme, provision of low-cost and highly subsidized housing schemerehabilitation of urban public water works, scholarship schemes for indigent students, adult education through Agency for Mass Education, skill acquisition through NDE, commencement of payment to retirees from the month immediately following retirement from public service, motor-cycle (Okada), 7-Up, Coca-Cola Rental outlets andcigarettekiosks.

c. **Female:** Engagement of women and widows as paid labour in the Waste Management Scheme, scholarship schemes for females to reduce gender imbalance, micro-credit scheme for women, improved health care delivery for maternal and child health.

d. **Youths:** Engaging youths in white-collar jobs in commerce, banking, manufacturing, Waste Management Scheme, scholarship schemes for youths, micro-credit, sensitization and advocacy on the prevention and control of HIV/AIDS and other sexually transmitted diseases in primary, secondary and tertiary institutions in the state.,

e. **Children:** Scholarship schemes for girls, strengthening of juvenile houses and the school for the handicapped, Ilorin, and the motherless babies home.

f. **Rural Communities:** Rehabilitation of rural water works, provision of boreholes in rural areas, rehabilitation of health centres, payment of a counterpart fund of N9 million for the World Bank-Assisted Poverty Reduction Micro-Projects for rural communities, rehabilitation of schools and rural feeder roads.

In Chapter 13 dealing with safety nets for vulnerable groups, child beggars (*almajirai*), other beggars, abandoned children, women without support and care, prostitutes, etc are identified as vulnerable. KWA-SEEDS proposes providing accommodation at Amayo Rehabilitation Centre for the care of indigeneous beggars of the State; training and empowering trainable beggars in vocational trades at Amayo Rehabilitation Centre so as to enhance their self-employment capacity and periodic repatriating non-indigenous beggars to their State or country of origin. For the women, they are to be trained and supported with micro-credit to start small scale businesses.

D. LAGOS STATE SEEDS (LASEEDS)

In its Foreword, LASEEDS recognises that Lagos State contributes 31.8% of the national GDP and is ravaged by population influx, unemployment, environmental challenges and institutional problems resulting in an urban crisis and resource inadequacy. With a population of 16.8m which is growing at between 6% to 8% per annum, human trafficking accounts for some of the unusual population increase. The mission and overriding policy thrust of LASEEDS is poverty alleviation and sustainable economic growth.

²⁴ Source: KWA-SEEDS, pages 50-51 on Poverty Reduction.

²⁵ United Nations Centre for Human Settlements (UNCHS), 2002 Habitat Report cited with approval in LASEEDS.

In the education sector, 15%-20% of primary school age children are out of school while the percentages for Junior and Senior secondary schools are 43% and 57% respectively. These statistics present a grave scenario that will produce more persons vulnerable to forced labour and human trafficking. However the state Plans to legislate against child labour and abuse and to mount advocacy against all forms of school rejection including the syndrome of area boys, street children, etc. There are also plans for the educational needs of the physically challenged, the girl child and adult education. Foster homes are to be provided for children orphaned by HIV/AIDS...

From a gender perspective, LASEEDS plans to train women to acquire skills, build their capacity in agriculture and related fields, facilitate women's cooperative societies and rehabilitate school dropouts, provision of micro-credit, grants and equipment for self employment, etc. LASEEDS also plans to provide safety nets for the poor, women, children and other vulnerable groups who suffer from the reduction in government expenditure through the ongoing liberalization programme. It is to revise and ensure the implementation of trade and employment practices that rely on cheap labour of women, children and the vulnerable thereby keeping them in marginal employment. Further, LASEEDS reflects on the different strategies for measuring the impact of macroeconomic policies on women, men, youth, children, the poor and the vulnerable to guarantee a minimum level of economic security for all. Cooperative societies are to be encouraged.

LASEEDS delved into building public private partnerships for the purpose of reducing the resource deficit so as to meet the infrastructure needs of a mega city. Thus, there is a lot of focus on user charges, attraction of foreign and local investors and increase in the internally generated revenue capacity of the State.

Despite the social issues addressed by LASEEDS and Lagos being a receiving state of trafficked persons, no specific mention was made of forced labour and human trafficking throughout LASEEDS.

6. BUDGETING FOR POVERTY REDUCTION AND TO REDUCE VULNERABILITY UNDER NEEDS AND SEEDS

Except funding for National Agency for the Prohibition of Traffic in Persons and Other Related Matters, there are no budgetary funds that directly impact on trafficking in persons and forced labour. We shall therefore examine the budget of key sectors that indirectly impact on the two vices. These include agriculture, education, housing, health, environment and water resources.

In terms of budgeting priorities, NEEDS targets a reduction in recurrent spending while increasing capital expenditure that impacts on the life of the people. Table 4 indicates NEEDS prioritization within the Medium Term Framework and the proposed allocation of federal government capital budget, 2004-2007 in terms of percentages to the priority sectors.

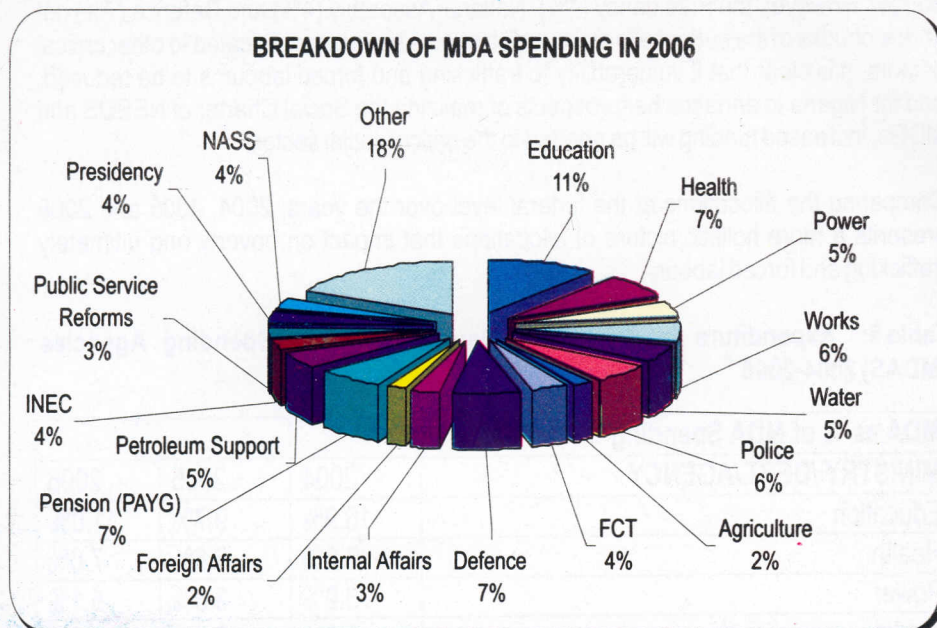
Table 4: Allocation of Federal Capital Expenditure 2004 -2007

Sector	2004	2005	2006	2007
Agriculture and rural development	3	4	4	4
Roads (maintenance, rehabilitation and Construction)	12	15	15	14
Education	8	8	9	10
Health	8	8	9	10
Water resources	10	10	10	10
Power	16	15	13	12
Security	5	5	5	5
Share of allocation for priority sectors in total allocation	62	65	65	65
Share of allocation for non-priority sectors in total allocation	38	35	35	35

As an overall view, this prioritization shows that the government is alive to its responsibilities on issues that will ultimately impact positively for the reduction of trafficking and forced labour. But the allocation to agriculture and rural development is relatively low considering its huge contribution to the GDP and employment generation.

NEEDS is proposed as an integrated reform agenda where reforms in one sector will contribute in no small measure to the realization of its overall objectives. As such, it proposes a Fiscal Responsibility Bill which details a Medium Term Expenditure Framework (MTEF) that ties together government priorities based on high level policy documents including NEEDS and the Millennium Development Goals, planning and the budget. Thus, policy, planning and the budget will become integrated to ensure fiscal stability without compromising developmental objectives; the MTEF will enhance predictability of funding, increased accountability, transparency and value for money including performance measurement and service delivery. It will reduce deficit budgeting to no more than 3% of the GDP in any given year and boost external reserves. The oil benchmark price will be introduced to guarantee that incomes over the benchmark price are saved in the Excess Crude Account at the Central bank of Nigeria and will only be shared in the next year after agreement between the federal and state governments.

Figure 1 illustrates the federal government expenditure pattern in the year 2006.



Note: The percentages in this Figure were approximated to the nearest whole number.

For the 2006 federal budget, agriculture got a paltry 2% (actual is 1.6%) of the overall budget despite its huge contribution to the GDP and employing over 40% of the population. With this figure, the 4% proposed in NEEDS for capital projects has not been met. Officially, there are no explanations for this deviation. The explanation from official sources about the initial low percentage (4%) is that the bulk of the funding is to come from the private sector. And in 2006, the government went ahead to set up a high powered committee headed by the Minister of Finance. The Committee raised N50 billion from financial institutions as loans earmarked for agriculture in the year. Although this is a welcome development, the usual technical and bureaucratic demands associated with procuring credit may prevent poor farmers (who are not agri-business investors) from accessing the funds.

Power is a central sector for economic growth and poverty reduction. It was allocated 5% of the total budget in the year 2006. Considering the centrality of power to every human endeavour, from manufacturing to leisure, health and education, water, etc, it appears that the poverty reduction imperative of NEEDS is being derailed. Health got 7% while education 11% of the entire budget. Water resources got only 5% of the

budget. However, the Presidency (4%), National Assembly (4%) and Defence (7%) got undue chunks of the budget allocation which should have been allocated to other critical sectors. It is clear that if vulnerability to trafficking and forced labour is to be reduced, and for Nigeria to enhance her prospects of realizing the Social Charter of NEEDS and MDGs, increased funding will be needed to the critical social sector.

Comparing the allocations at the federal level over the years, 2004, 2005 and 2006 presents a more holistic picture of allocations that impact on poverty and ultimately trafficking and forced labour.

Table 5: Expenditure by Ministries, Departments and Spending Agencies (MDAS) 2004-2006²⁶

MDA as % of MDA Spending			
MINISTRY /DEPT./AGENCY	2004	2005	2006
Education	10.9%	9.7%	11.0%
Health	7.0%	5.8%	7.0%
Power	6.9%	3.5%	5.1%
Works	7.2%	5.4%	6.0%
Water	4.8%	2.7%	5.3%
Police	8.6%	7.6%	5.8%
Agriculture	2.2%	1.5%	2.0%
FCT	3.8%	2.5%	3.5%
Defence	8.8%	9.9%	6.7%
Internal Affairs	3.4%	3.7%	2.8%
Foreign Affairs	2.0%	3.2%	2.1%
Pension (PAYG)	8.4%	8.5%	6.6%
Petroleum Support			4.9%
INEC	0.7%	0.5%	3.6%
Public Service Reforms			2.8%
Presidency	5.5%	4.7%	3.6%
NASS	4.1%	5.3%	3.6%
Others	15.8%	25.5%	17.6%
TOTAL MDA EXPENDITURE	100.0%	100.0%	100.0%

²⁶ *Understanding Budget 2006*, Federal Ministry of Finance, 2006.

The analysis of the foregoing shows that over the three years, agriculture has been relegated with 2.2%, 1.5% and 2% respectively in the years 2004, 2005 and 2006. This does not augur well for food security and poverty reduction. The government has a complimentary role to play even if market forces were to take over the entire agricultural sector. The rather high defence votes should have augmented investments in agriculture, water resources and the power sector.

The achievement of debt relief in the year 2005 manifested in additional funding amounting to \$1billion (the federal government's share is N1000 billion) in the 2006 budget to the critical sectors of health, education, water resources, power, housing, women affairs, etc. The debt relief gains were allocated to the critical sectors over and above their normal budget detailed in figure 1. Table Six shows how the debt relief gains were allocated to the sectors.

Table 6: Allocation of the Debt Relief Gains in 2006

MINISTRY	=N=BILLION
Health	21.3
Education	17.8
Water	19.2
Power/Steel	17.0
Works	9.9
Agriculture	8.7
Environment	1.5
Women Affairs	1.0
Intergovernmental/Youth	1.0
Housing/Urban Development	0.5
Oversight of Public Expenditure Under NEEDS	1.0

It is imperative to note that the figures in the above tables may not represent the exact sums of money that are disbursed to the spending agencies at the end of the year. There are a number of other issues which may lead to the sums not being disbursed and the budget not being implemented. The experience of budget implementation in the years 2004 and 2005 bear this out.

Specifically, the 2005 allocation of the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters in the sum of N926m appears encouraging considering the gravity of work it has to do. Out of this figure, only 310m is allocated to capital expenditure²⁷.

²⁷ Federal Republic of Nigeria; Details of the Recurrent and Capital Expenditure of the 2005 Appropriation Act.

Under **Kano SEEDS**, there are detailed costing of projects and programmes to ensure effective implementation and this includes the areas that impact on trafficking in persons and forced labour. This is a welcome development. But the relationship between the yearly budget and the proposed estimates for the implementation of K-SEEDS needs to be traced. Comparison between the detailed costing of projects and programmes and the 2004, 2005 and 2005 budget reveals a strong connection. But most pertinent to the implementation of K-SEEDS is the relationship between the budgeted sums and the actual amounts disbursed and spent in the yearly appropriation. And the story of the relationship is a sad one. For instance, taking 2004 as the base year, the difference between the budgeted sums and the actual sums is a huge gulf. Table 7 speaks for itself²⁸.

Table 7: Actual and Budgeted Expenditure in Kano State.

MDA	ACTUAL	BUDGETED
Agric & Natural Resources	150,302,257.70	58,000,000
Education	1,285,972,478.84	2,685,000,000
Health	94,605,460.40	278,000,000
Works and Housing	118,894,908.87	190,469,000
Water Resources	54,098,973.10	101,062,000
Women & Social Service	58,127,596.19	82,616,000
Total of other expenditures and those listed above	4,747,987,464.85	8,716,419,495

Essentially, the budgeting process in Kano State appears too unreliable and unpredictable as to provide a guide about investments that impact on forced labour and trafficking in persons.

The **KWA-SEEDS** details a Medium Term Expenditure Framework (MTEF) listing in financial terms the priorities of the state of government over the expenditure period of 2005-2007.

²⁸ Source: Kano State Government of Nigeria Approved Year 2005 Budget, Ministry of Planning and Budget, Kano State.

Table 8: Medium-Term Expenditure Framework (MTEF) (2005-2007) for Core Areas in the KWASEEDS

		2005		2006		2007		TOTAL 2005-2007	
	SECTOR	CAPITAL	RECURR ENT	CAPIT AL	RECURR ENT	CAPIT AL	RECUR RENT	CAPIT AL	CAPIT AL
	CORE AREA								
A. HUMAN DEVELOPMENT AGENDA AND EMPOWERING PEOPLE									
1.	Education	1,582,730,000 (9.75%)	2,970,625,549 (18.94%)	2,194,573,573 (12.66%)	2,134,122,173 (11.83%)	1,315,083,858 (10.29%)	2,351,687,453 (11.83%)	4,395,905,708 (9.54%)	5,092,387,431 (10.99%)
2.	Health (General)	488,696,947 (3.00%)	955,180,021 (6.09%)	947,141,021 (5.46%)	724,470,185 (4.01%)	1,161,062,466 (9.08%)	798,327,045 (4.01%)	3,202,424,563 (6.95%)	2,596,900,433 (5.60%)
2a.	Health: HIV/AIDS	280,000,000 (1.70%)	-	158,000,000 (0.91%)	-	200,364,555 (1.57%)	-	691,153,255 (1.50%)	638,364,555 (1.38%)
3.	Environmental Sustainability	407,090,000 (2.50%)	146,021,773 (0.93%)	328,900,000 (1.90%)	59,401,796 (0.33%)	433,992,975 (3.39%)	65,457,573 (0.33%)	1,350,020,685 (2.93%)	1,169,982,975 (2.52%)
4.	Lands & Housing	2,882,019,836 (17.77%)	75,285,125 (0.48%)	329,133,742 (1.90%)	70,184,520 (0.39%)	433,992,975 (3.39%)	77,339,553 (0.39%)	3,824,263,259 (8.30%)	3,645,146,553 (7.86%)
5.	The Vulnerable Groups								
	i. Youth Dev.	40,700,000 (0.25%)	8,783,265 (0.06%)	30,000,000 (0.17%)	24,776,168 (0.14%)	85,274,281 (0.67%)	27,302,000 (0.14%)	225,974,281 (0.49%)	155,974,281 (0.34%)
	ii. Social Welfare	70,311,157 (0.40%)	99,125,414 (0.63%)	83,000,000 (0.48%)	67,455,036 (0.37%)	85,274,281 (0.67%)	74,331,809 (0.37%)	255,585,438 (0.55%)	238,585,438 (0.52%)
	iii. Women Affairs	65,550,000 (0.40%)	25,095,042 (0.16%)	124,000,000 (0.72%)	21,411,688 (0.12%)	85,274,281 (0.67%)	23,594,524 (0.12%)	250,824,281 (0.54%)	274,824,281 (0.59%)

Table 8 Cont.

6.	Rural Development	232,500,000							
	i. Rural Water	(1.40%)	12,882,076	388,500,000 (2.24%)	12,882,076	703,665,020 (5.50%)	14,195,353	2,192,165,020 (4.76%)	1,324,665,020 (0.07%)
	ii. Rural Feeder Roads		(0.10%)	42,000,000 (0.24%)	-	170,548,563 (1.33%)	-	370,548,563 (0.80%)	212,548,563 (0.46%)
	iii. Rural Electrification	438,600,000 (2.70%)		610,175,505 (3.52%)		255,822,844 (2.00%)		994,422,844 (2.16%)	1,304,598,349 (2.82%)
7.	Micro Projects	170,000,000 (1.00%)		170,000,000 (0.98%)				340,000,000 (0.74%)	340,000,000 (0.73%)
B GROWING THE PRIVATE SECTOR									
8.	Agric & Food Security	992,000,000 (6.00%)	221,150,054 (1.41%)	1,801,295,954 (10.39%)	191,000,134 (1.06%)	547,778,192 (4.29%)	210,471,839 (1.06%)	2,240,935,292 (4.86%)	3,341,074,146 (7.21%)
8.	Industrial and Solid Minerals	499,508,666 (3.08%)	65,874,484 (0.42%)	269,000,000 (1.55%)	28,043,432 (0.11%)	85,274,281 (0.67%)	30,902,348 (0.16%)	684,782,947 (1.49%)	853,782,947 (1.84%)
9.	Entrepreneurship								
	i. General Commerce & Cooperatives	102,500,000 (0.60%)	29,485,445 (0.19%)	548,095,608 (3.16%)	29,485,445 (0.16%)	51,164,569 (0.40%)	32,491,369 (0.16%)	213,664,569 (0.46%)	701,760,177 (1.51%)
	Entrepreneurship	555,000,000 (3.40%)	-	140,000,000 (0.81%)	-	446,657,050 (3.49%)	-	1,525,445,750 (3.31%)	1,141,657,050 (2.46%)
	ii. Poverty Reduction Programme								

Table 8 Cont.

10	Roads: Urban/Se mi Urban	2,488,00 0,000 (15.00%)	98,811,7 26 (0.63%)	4,486,9 02,512 (25.87 %)	84,659,7 64 (0.47%)	1,151,2 02,799 (9.01%)	93,290, 491 (0.47%)	7,829,2 02,799 (16.98 %)	8,126,1 05,311 (17.53 %)
11	Water Urban/Se mi-Urban Water Resource s	7,555,94 0,000 (4.70%)	12,547,5 21 (0.08%)	954,00 0,000 (5.50%)	13,366,5 88 (0.07%)	3,927,0 78,240 (30.72 %)	14,729, 259 (0.07%)	7,748,3 84,340 (16.81 %)	5,637,0 18,240 (12.16 %)
C CHANGING HOW THE GOVERNMENT DOES ITS WORK									
12	Security and Public Service Reforms	2,838,87 7,352 (17.50%)	9,432,89 8,359 (60.14%)	2,875,2 52,343 (16.584 %)	13,668,8 37,736 (75.74%)	864,83 9,517 (6.77%)	15,062, 321,46 3 (75.74 %)	3,836,4 90,302 (8.32)	6,578,9 69,212 (14.20)
13	Rule of Law and Access to Justice (including the Legislature)	372,760,170 (3.00%)	1,030,165,5 48 (6.71%)	359,220,0 00 (2.07%)	853,619,488 (4.73%)	341,097,1 26 (2.67%)	940,642,605 (4.73%)	1,113,857, 296 (2.42%)	1,073,077, 296 (2.32%)
D OTHERS									
14	i. Tourism	233,500, 000 (1.40%)	62,580,7 60 (1.40%)	23,000, 000 (0.13%)	63,175,7 06 (0.35%)	62,922, 613 (0.49%)	69,616,3 17 (0.35%)	370,21 1,113 (0.80%)	319,42 2,613 (0.69%)
	ii. Informati on & Communi cation	193,335, 000 (1.19%)	73,716,6 85 (1.47%)	217,14 0,000 (1.25%)	06 (0.35%)	222,29 9,861 (1.74%)	676,32 2,911 (1.47%)	632,77 4,861 (1.37%)	
	iii. Sports	17,730,0 00 (2.58%)	3,764,25 6 (0.35%)	182,00 0,000 (1.05%)		85,219, 425 (0.67%)	602,94 9,425 (1.31%)	685,74 9,425 (1.48%)	
	iv. Culture	113,794, 000 (0.70%)	24,781,3 54 (0.16%)	80,000, 000 (0.46%)		68,219, 426 (0.53%)	262,01 3,425 (0.57%)	262,01 3,426 (0.57%)	
	TOTAL	16,221,1 43,128 (100%)	15,348.7 74.457 (100%)	17,342, 130,25 8 (100%)	18,046,8 92,026 (100%)	12,784, 109,19 7 (100%)	19,886,7 01,000 (100%)	46,103, 387,58 3 (100%)	46,347,3 82,584 (100%)

The figures and percentages for the sectors impacting on poverty reductions, trafficking in persons and forced labour (education, health agriculture, rural development, environment, vulnerable groups, etc) are impressive and if actually released and well spent could have a positive impact on trafficking and forced labour.

LASEEDS estimate of financial allocation to core sectors is indicative of the proposed expenditure pattern in Lagos state.

Table 9: Estimated Financial Allocation to Core Sectors in LASEEDS

Sectors	Capital 2005	% of total	Recurrent 2005	% of total	Capital 2006 (Nb)	Recurrent 2006 (Nb)	Capital 2007 (Nb)	Recurrent 2007 (Nb)	Capital (Nb)	Recurrent (Nb)	Total (Nb)
A SOCIAL											
1. Education	3.32	9	1.15	6	4.12	0.26	5.10	1.25	12.54	2.69	15.23
2. Health	1.81	5	0.52	3	2.24	0.13	2.78	0.68	6.84	1.33	8.17
3. Social Work	1.64	4	0.25	1	2.03	0.06	2.52	0.62	6.19	0.93	7.13
B. ENVIRONMENT	4.69	12	0.47	2	5.82	0.12	7.21	1.77	17.72	2.36	20.07
C. ECONOMIC	19.6	52	0.94	5	24.30	0.23	30.13	7.40	74.03	8.57	82.61
D. ADMINISTRATION	6.87	18	16.48	83	8.52	4.06	10.56	2.59	25.95	23.12	49.07
TOTAL	37.93	100	19.81	100	47.03	24.56	58.31	30.45	143.27	74.83	218.10

Table 9 appears not to give due prominence to the ministries in the social sector but if the projects and programmes proposed in the economic sector are implemented, there may be a positive impact on poverty reduction. However, the high cost of administration is a sign of a weak administrative and budgetary system.

7. NEEDS AND SEEDS IMPLEMENTATION OVER THREE YEARS AND THE POVERTY PROFILE

The poverty profile will be analysed using the Millennium Development Goals as indicators and targets for the measurement. Most of the goals have equivalent provisions in the NEEDS document. It will also analyse NEEDS implementation in terms of results achieved as against the promises in the document. The thrust of the analysis is to review implementation against the background of the factors and circumstances that predispose individuals to being trafficked or become victims of forced labour.

In Goal 1, the target is to halve the proportion of people living on less than a dollar a day (the measurement for abject and chronic poverty) and those who suffer from hunger by 2015. As at date, the statistics indicate that 54.4% of the population in Nigeria lives on less than =N= 135.00 per day²⁹. Incidentally, Kwara State, one of the Study states is home to one of the highest incidences of poverty³⁰. It is submitted that the Current rate

²⁹ Source- Medium Term Sector Strategies Training Manual collated by The Budget Office of the Federation, Federal Ministry of Finance (MTSS Training Manual).

³⁰ Other states with high poverty profile include Jigawa, Kebbi, Kogi, Bauchi and Yobe States- MDG Report 2005.

of poverty reduction is too slow to meet the targets set for 2015 and poverty would only be reduced to 43% as opposed to 21.4% by 2015. In terms of reduction in underweight children, although improvements have been recorded, the pace is slow and calls for greater efforts.

Under NEEDS, there are no new bills directly touching on forced labour or trafficking, but there are proposals which may have an indirect impact on the two and these include the National Social Security Board Bill, Agriculture Input Bill and the already passed Pension Reform Act. However, the Pension Reform Act which is already law has the challenge of reaching out to cover persons in informal employment who are a sizable number of the population and most of victims of forced labour and trafficking are drawn from this segment not covered by the Act.

Although 7million new jobs were proposed for 2003-2007 in NEEDS, the new economic regime made it incumbent on the private sector to create the new jobs while the government provided the enabling environment. Government projected that it would cut down the bureaucracy through job shedding measures. But the challenge remains the answer to the poser; which one should come first to reduce people's vulnerability? Is it the enabling environment for the private sector to create jobs or the job shedding initiatives of the federal and state government? It appears that to meet the 2007 job creation target, the enabling environment should have come first. Although statistics in this area are hard to come by, there appears to be no major job creation by the private sector as key sub sectors like the banks (after consolidation) and textile industries have been retrenching staff. With industrial capacity utilization not exceeding 40% of installed capacity, this has reflected negatively on the employment situation.

Nigerian industries are not cost effective producers and as such are not competitive. Their competitiveness would have created jobs and expanded the economy. The single most important cause of this is the poor energy situation which in some industries account for about 10-15% of the cost of production. The expectation is that government would have quickly introduced reforms to the energy sector and striven to achieve and surpass the target of generating 10,000 megawatts of electricity by 2007. But this has not been the case as Nigeria still generates less than 4000 megawatts of electricity per day. When transmission and distribution losses are added, energy consumers get less than 3500 megawatts of electricity everyday.

Another issue worth considering is NEEDS insistence on a private sector led economy where the fixation is on GDP growth rates as against development and distribution of resources accruing from growth. For instance, the federal government reports that agriculture grew by 7% in the years 2004 and 2005 and cassava production particularly grew by 4 million metric tones from 35 to 39 metric tones. However, this did not reflect in

³² Nigeria: 2005 Millennium Development Goals Report, page 4.

³² NEEDS, pp.111-112.

³³ A typical example is the plywood industry in Sapele Delta State which has higher production costs compared to similar industries in Ghana.

³⁴ *Understanding Budget 2006*, Federal Ministry of Finance, 2006.

the price of cassava based products and staples as the bulk of the growth were channeled towards the export of cassava derivatives to foreign countries. Thus, more Production, instead of enhancing food security may make Nigerians more food insecure and vulnerable and this may be a factor exacerbating trafficking and forced labour.

In Goal 2, the target is to achieve universal primary education and to ensure that all boys and girls will be able to complete primary school by 2015. NEEDS recognizes education as a transformational tool and a formidable instrument of socio economic empowerment. At the federal level, Education Information Management System has been strengthened and Education Sector Analysis has been completed. Although progress has been recorded in the implementation of the Universal Basic Education Act, however, over 7 million primary age children are out of school³⁵. In states like Kano and Kwara with a high population of *almajari* and other out of school children and in Lagos State with a high population of out of school children, the challenge remains for UBE to live up to its universal appellation. Although the Child Rights Act Criminalizes the withdrawal or prevention of a child from attaining basic education, the country is yet to witness a criminal prosecution and or conviction for the crime.

The Nigerian 2005 Millennium Development Goals Report (MDG Report) notes that:

In spite of achievements in terms of increases in participation in primary education, a number of challenges still confound the system. The challenges are most prominent in the area of implementing the universal basic education programme. Universal access is still a dream especially in the states that have been historically educationally disadvantaged. Gender imbalance is still an issue, especially in the northern states. Boy-child drop out is moving from being a localized challenge to becoming a national issue³⁶.

Goal 3 is about promotion of gender equality and women empowerment. The target is to eliminate gender disparities in primary and secondary education preferably by 2005, and at all levels by 2015. Goal 3 further seeks enhanced women participation in public life, in the legislature and in the non agricultural sector. Under NEEDS, government committed itself to implement the provision of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Before NEEDS, Nigeria was already a party and had specific obligations under CEDAW. Thus NEEDS merely reaffirmed the existing obligations. NEEDS also committed *inter alia* to:

- Ensure equitable representation of women all over the country in all aspects of national life by using affirmative action to ensure that women represent at least 30% of the workforce where feasible;

³⁵ MTSS Training Manual, *supra*.

³⁶ P.12; the MDG report also noted a declining literacy rate among 15-24 year olds.

- Mainstream women's concerns and perspectives in all policies and programmes
- Provide social security to unemployed women, youth and poor children.

In terms of total equality in primary and secondary education, 13 states in Nigeria still have gender disparity (11 states in the north and 2 in the south). The percentage of the girl child enrolled in primary and secondary schools in Nigeria is still very low especially in the north (34% for primary and 10% for secondary). Cultural and traditional prejudices including early marriages (despite being outlawed) still prevent girls from attaining their educational potentials. Out of the 109 senators we have in Nigeria, only 4 are female. There are no female Governors in Nigeria.

Goal 4 and 5 may not necessarily have a direct relationship to vulnerability to forced labour and trafficking but people escape from the environments where these negative health and social indicators predominate to other areas where in their search for a better life, they may become victims of trafficking. The current statistics are unconscionable. However, these goals go a long way to show how the reforms promised in the health sector are working. The National Health Insurance Scheme has the challenge of reaching out to people in the informal sector of the economy. Presently the focus is on people with regular jobs and paid employment. The target of goal 4 is to reduce by two thirds the mortality rate among children. Nigeria has one of the highest infant mortality rates in the world (100 per 1000 live births). There are 201 children who will die by the age of 5 for every 1000 born in Nigeria. Goal 5 seeks to improve maternal health. The target is to reduce by three quarters the ratio of women dying in childbirth. 17% of women in Nigeria have no assistance during delivery and 26% are assisted by untrained persons. Out of every 100,000 pregnant women in Nigeria, 800 die during child birth³⁷.

For Goal 4, the Integrated Child Survival and Development Strategic Framework and Plan of Action (2005-2009) seeks to provide answers to the alarming scenario. For the two goals, there are wide variations among geopolitical zones and rural infant mortality rate is considerably higher than the urban rates. Low maternal education, a low position on the household wealth index and shorter birth intervals are strongly associated with increased mortality risks³⁸. It is also imperative to note that health provides a good example of an inter-sectoral development issue. Education, housing³⁹, infrastructure, finance, community development, gender, law and order all impact on health in general and maternal and child health in particular⁴⁰.

³⁷ MTSSTraining Manual.

³⁸ Nigeria: 2005 Millennium Development Goals Report (hereafter called "MDG Report").

³⁹ Housing is the environmental factor most frequently associated with disease conditions in epidemiological analysis- General Comment No. 4 of the UN Committee on Economic, Social and Cultural Rights establishing the contours of the right to adequate housing.

⁴⁰ See MDG Report, *supra*.

Goal 6 seeks to combat HIV/AIDS, Malaria and other diseases. The target is to halt and begin to reverse the spread of HIV/AIDS, malaria and other major diseases. The current statistics indicate that deaths caused by HIV/AIDS have increased in Nigeria from less than 50,000 in 1999 to about 350,000 in 2003/4; 70 million people in Nigeria have at Least one episode of malaria annually; only 12% of house holds own a mosquito net and only 2% own an insecticide treated net (ITN)⁴¹. NEEDS promised to control the spread of HIV/AIDS, provide equitable care and support to those infected and mitigate its impact to the point that where it is no longer a public health, social or economic concern. It aims to create an environment where all Nigerians will be able to live socially and economically productive lives free of the disease and its effects⁴².

Of particular concern for vulnerability to forced labour and trafficking is the increasing number of HIV/AIDS related orphans and vulnerable children who have lost their parents and guardians. They are estimated at 1.8 million⁴³ and are at risk of being trafficked, sexual exploitation and child labour. Although Orphans and Vulnerable Children Unite has been established in the Federal Ministry of Women Affairs, it does not have sufficient funding and personnel to cater for the 1.8 children.

Goal 7 seeks to ensure environmental sustainability with a target to integrate principles of sustainable development into policies and programmes and reverse the loss of environmental resources by 2015; reduce by half the proportion of people without access to safe drinking water by 2020. It also seeks to achieve significant improvement in the lives of million slum dwellers. The statistics are intimidating vis, Nigeria is currently losing about 350 sq km of its land mass annually to the advancing desert in northern states of Borno, Yobe, Katsina, Sokoto and Kano; 72 million Nigerians have no access to safe drinking water while 55.2 million Nigerians have no access to improved sanitation⁴⁴. NEEDS promised to significantly improve access to sanitation and to increase the percentage of people with access to safe drinking water to at least 70% of the population by 2007⁴⁵. Going by these statistics, the 2007 target will not be met.

The encroaching desert takes over arable land that could have been used for cultivation and by pastoralists for grazing. The implication is that it reduces people's access to a means of livelihood and thereby exposes them to poverty and vulnerability. The chance of migration and being subject to trafficking and forced labour in this instance is real. Lack of access to safe drinking water and improved sanitation also accounts for the reason why most young people leave the rural areas to the cities and in the desperation to be in the city may become victims of trafficking and forced labour.

⁴¹ MTSS Training Manual.

⁴² NEEDS at page 42.

⁴³ MDG Report at page 30 citing with approval the *Orphans and Vulnerable Children Rapid Assessment, Analysis and Action Plan Process*.

⁴⁴ MTSS Training Manual.

⁴⁵ NEEDS at page 34.

The forced evictions and demolition of homes ongoing in many states of the federation, particularly in the Federal Capital Territory also contributes to vulnerability. It appears there is a misunderstood concept of "city without slums" or the improvement of the lives of slum dwellers. Considering that shelter is one of the most basic necessities of life, by depriving people of their homes through demolition exercises, they will become more vulnerable to trafficking and forced labour.

The last goal is about international partnership for development; to develop further an open rule based, predictable non discriminatory trading and financial system (including the commitment to good governance, development and poverty reduction).

The International Community must keep promises made for funding the MDGs and needs to implement fairer international trade negotiations that will enhance Nigeria's productivity and export capabilities. It must also reduce the burden of national debt to allow Nigeria access to increased domestic resources. Also the MDGs are a test of political will to build stronger partnerships.

Goal 8 may be most relevant for the international dimension of trafficking and forced labour. The search for new opportunities to better personal incomes abroad fuels the migration syndrome. For this goal, Nigeria has already achieved debt relief in the sum of \$18 billion from the Paris Club of Creditors and this will lead to lessened debt repayment burden. This has reduced the debt burden from \$35 billion to \$5 billion⁴⁶.

8. POVERTY MONITORING SYSTEMS AND MECHANISMS

The major poverty monitoring systems and mechanisms at the federal level is the Federal Office of Statistics (FOS) Poverty Profile for Nigeria, Multiple Indicator Cluster Surveys, National Demographic and Health Surveys and specialized measurements like the Handbook on Information on Basic Education in Nigeria⁴⁷; Federal Office of Statistics and UNICEF Children's and Women's Rights in Nigeria: A Wake Up Call - Situation Analysis and Assessment⁴⁸. At the state level, the Planning Commission and Office of Statistics carry out information and data gathering related to poverty. Although the National Poverty Eradication Programme (NAPEP) is charged with poverty alleviation, it does not have a monitoring system of its own to generate data on the level of poverty in the country.

⁴⁶ The balance of the debt is made up of multilateral debt- about \$2.56 billion; par bonds- about \$1.44 billion and promissory notes- about \$0.649 billion.

⁴⁷ April 2003.

⁴⁸ Multiple Indicator Cluster Surveys (MICS), 1999.

The yearly Nigeria Millennium Development Goals Report is crucial for measurement of poverty level and improvements in Nigeria. It attempts to combine sectoral reports and harmonize them into a composite report on the achievement of the MDGs in Nigeria.

The quantity and quality of the data gathered by these mechanisms and agencies is subject to their data gathering capacities, quality of recent survey information, statistical tracking capacities, statistical analysis capacities, capacity to incorporate statistical analysis into policy, planning and resource allocation mechanism, monitoring and evaluation mechanism⁴⁹. However, poverty monitoring systems at the federal and state level do not have indicators that relate to trafficking and forced labour. As such they may not be best suited for the determination of the level, or improvements in the two Scenarios. But they may provide anecdotal evidence of the trends in forced labour and trafficking in persons. The fact that NEEDS and the focal SEEDS (except to an extent, the SEEDS of Cross River and Kwara) did not specifically recognize and attack forced labour and trafficking as specific issues also indicates that monitoring will not focus on these issues.

Budget monitoring systems are also relevant to the monitoring of poverty eradication in the sense that the budget is a direct instrument for implementing poverty reduction plans and policies. In this connection, the work of the Budget Office of the Federation and its equivalent at the state level, the Budget Monitoring and Price Intelligence Unit (BMPIU), the National Economic Intelligence Commission, etc all impact on poverty reduction.

The introduction of the Medium Term Expenditure Framework (MTEF) into the budgeting system at the state level will also facilitate the measurement of poverty and its impact on trafficking and forced labour. This has already started at the federal level with the development of the Medium Term Sector Strategies 2006-2008 and its revision in 2006 to cover the years 2007-2009. MTEF connects policy, planning and the budgeting process in such a way that government priorities and policy aims are realized through the budget. But for the MTEF to help in this direction, forced labour and trafficking must be recognized as critical cross cutting issues in high level policy documents such as NEEDS, the Constitution and poverty reduction protocols of NAPEP and other poverty reduction agencies. Clear anti trafficking and forced labour policy thrusts and strategies must be identified which will lead to specific, measurable, achievable, realistic and time bound goals and objectives; activities to reach the objectives, clear outputs and outcomes, measurable indicators, all locked in a logical framework with relevant timelines. Essentially, the work of NAPTIP in assessing the state of forced labour and trafficking can be fed into the budgeting system, the MDG report and other surveys as a major concern for poverty reduction.

⁴⁹ See MDG Report 2005.

However, it is clear from our interactions at the state level, that the capacity to engage issues of forced labour and trafficking is lacking at the Planning Commissions and the Budget Offices. There is the need to build their capacity as well as the capacity of the respective Ministries of Women Affairs so as to place them in a position to mainstream the two issues in budgeting.

9. EXPECTED OUTCOMES OF STATE LEVEL INTERVENTION

State level interventions are expected to produce the following results:

- The inclusion of trafficking and forced labour indicators in activities for the reduction, measurement and reporting on poverty. Any issue not specifically articulated and recognized will be lost under a maze of other issues deemed more important.
- Mainstreaming forced labour and trafficking issues in state development planning and budgeting.
- Resources targeted at forced labour and trafficking specifically appropriated in the state budget. With its inclusion in the budget, specific monitoring and evaluation would focus on the two issues. There is the need to get states to specifically target these issues in their annual budget.
- Forced labour and trafficking recognized as serious fallouts of vulnerability and policy actions developed to remedy same.
- During the review period of SEEDS (between 2007 and 2008), trafficking and forced labour should be specifically addressed on their own basis.
- Forced labour and trafficking mainstreamed as issues in the major social sectors of health, education, access to infrastructure and general poverty alleviation.
- The establishment of special agencies or departments to liaise with NAPTIP on forced labour and trafficking issues at the state level. Although Ministries of Women Affairs are currently doing the liaison work, there is the need for more specialization or capacity building for them to enhance that aspect of their mandate.

10. CONCLUSIONS AND RECOMMENDATIONS

The following conclusions and recommendations flow from this Study and the information so far gathered.

- I. PATWA should liaise with federal and state Planning Commissions and poverty reduction and monitoring agencies at the federal and state levels to include forced labour and trafficking indicators in the measurement of poverty.
- II. There is the need to identify specific programmes and projects linked with the current priorities of government as identified in NEEDS, SEEDS and the MDGs, and which will facilitate the elimination or reduction of trafficking and forced labour. An example is the implementation of women empowerment measures in NEEDS and SEEDS and creation of the enabling environment for job and wealth creation.
- III. There is the need to expand the understanding and appeal of anti trafficking and forced labour issues beyond the narrow confines of the NAPTIP legislation, ILO and other international standards, rather advocacy based on the constitution will be more popular and will seem to be more founded in legal, political and social circles.
- IV. Considering that the review of NEEDS is about commencing, PATWA should endeavour to play a key role in mainstreaming forced labour and trafficking issues into NEEDS 11. In this direction, a Study team to review the current NEEDS and come out with specific areas for mainstreaming the two issues should be constituted.
- V. In engaging the NEEDS 11 process, special attention should be paid to the prevailing macroeconomic framework which seeks to roll back the state without a guaranteed private sector or alternative services providers. PATWA should intervene with a recognition that there are separate roles for the state and the market. An abdication of one role will lead to crisis as is the present situation in Nigeria. Thus, the enabling environment for the private sector to lead the economy must be created before the government withdraws. Even as at that, the emergence of a strong private sector does not repudiate government's specific obligations in respect of the protection of the poor and vulnerable.

- VI. Such laws like the Universal Basic Education Act, the Child Rights Act, etc, should attract the attention of PATWA in terms of facilitating advocacy for their implementation. The almajaira, area boys, etc syndrome would be reduced by the implementation of these laws. The implementation of these laws will in small measure reduce trafficking, particularly of children and the girl child.
- VII. Considering the central role of the budgeting process in implementing government policies, PATWA should begin to engage the budgeting process through action research, advocacy and networking for enhanced funding for trafficking related matters. Participation and contributions to the review of relevant sector strategies will be a first step in the right direction.
- VIII. Issues such as health insurance should attract the attention of PATWA as they are centrally connected to vulnerability. The challenge is to expand the reach to the informal sector, the poor and vulnerable instead of the current stilted approach which restricts the schemes to the formal sector.
- IX. PATWA in collaboration with NAPTIP should engage in building the capacity of state commissions for the collection of data relevant to trafficking and forced labour.
- X. Collectivities, thrift societies and cooperatives are central to poverty eradication and as such should be encouraged in poverty reduction interventions. In areas where they already exist, capacity building for these societies should be a focus point.