

Richard INGWE • Walter A. MBOTO
Ude UGWU

TRANSNATIONAL CRIME, HUMAN RIGHTS VIOLATION AND HUMAN TRAFFICKING IN NIGERIA'S OIL-RICH NIGER DELTA

Richard INGWE
Institute of Public Policy & Administration,
University of Calabar, Nigeria;
cradle.africa@gmail.com

Walter A. MBOTO
Department of Sociology,
University of Calabar, Nigeria

Ude UGWU
Institute of Public Policy & Administration (IPPA),
University of Calabar, Nigeria

ABSTRACT

Despite its immense endowment in human and natural resources, Nigeria's Niger Delta has been socially and ecologically degraded for centuries by international crime and human rights violations. External perpetrators were involved in unequal trade, trans-Atlantic slave trade, colonialism, and imperialism/neoliberalism. Some evidences of the perpetuation of these crimes in Nigeria during the post-independent period include the emasculation of the Niger Delta region through marginalistic-discriminatory government policies complemented by indigenous misrule/spoliation characterized by elite criminal stealing large portions of public funds (at an average earnings of US\$20billion from the 1970s to the time of this study) to stash away in foreign bank accounts. The latter combines with series of historical violations of human rights, international crime and the Delta's cultural violation of women-girls' rights to own/inherit property (embedded in the region's traditional ruling institutions) to engender chronic poverty of masses of Niger Deltans/Nigerians. Overwhelming poverty compels Delta girls/women to resort/succumb to human traffickers for sex work, among other modern slavery methods. Reduction/elimination of human rights violations and human trafficking require implementation of good governance capable of reforming cultural practices/beliefs and modern government invasive practices.

KEYWORDS

- *Niger Delta*
- *poverty*
- *human trafficking*
- *human rights*
- *violations*
- *crime*

Introduction

Nigerians of the 1990s produced and watched two volumes of their Nollywood local hit-film: *“Glamour Girls: The Italian Connection (part I and II)”*. These movie stories told sad tales about barons and baronesses of recruitment of women and girls from Nigeria into international sex work and trade by using their connections with immigration officials in Nigeria and Italy to lure gullible and unsuspecting Nigerian girls/women to engage in sex work in Italy, and perhaps elsewhere in Europe. While in Nigeria, the victimized girls and women were told very pleasant stories about lucrative jobs waiting for them in Italy and elsewhere in Europe, these promises have rarely been fulfilled by human traffickers. Contrastingly, their personal traveling passports were promptly seized on arrival at the first airport in Italy. At that point, they were informed that their jobs henceforth would be to serve all manner of men who are directed to them with unlimited and forceful sexual rounds and bouts. These victims, most of which were reportedly put through sessions of hypnotizing voodoo or *black magic* aimed at subduing them¹, were frequently warned in the process that any attempt to resist this inhuman treatment would cause them enhanced death should they undertake such effrontery². This and other works of art and social sciences have indicated the increasing intensity of international crime associated with human trafficking in the federal states forming the Niger Delta, like elsewhere in Nigeria. Due to the enormity of international human trafficking in one of the Niger Delta states (Edo), it was reported in a regional Consultative Meeting in late 2010 that a Nigerian Ambassador to Italy and son of the Oba of Benin (the traditional ruler of Benin/*Bini* Kingdom), has achieved meritorious feats in implementing measures for reversing high propensity of Benin girls/women from either being trafficked or immigrating to Italy/Europe for sex work³. Apart from the foregoing reports, Nigeria’s popular literature has been awash with similar reports of plans to repatriate to their homeland.

A United Nations agency concerned with this problem, the UNHCR confirms the *Italian Connection* story by reporting that wealthy and criminally sophisticated human traffickers currently arrange with parents of girls/women from southern Nigerian states including the Niger Delta with promises of giving them lucrative jobs capable of enabling each of them to earn about US\$1,272 in Libya. After securing fake passports issued under false names for the girls/women, the criminals initially moved the girls/women through the northern Nigerian airport in Kano, but afterwards switched the route to trafficking persons through Nigeria’s northern neighbouring country (Niger Republic) to Libya before transferring the women to European nations, with the purpose of engaging them in prostitution and slavery. Nigeria’s large and porous borders have been blamed for this problematic

1 J Carling, Migration, Human Smuggling and Trafficking from Nigeria to Europe, International Peace Research Institute for International Organization for Migration, Oslo, 2006. Retrieved 3 November 2012 from < http://iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/mrs23.pdf>; Protection Project, ‘A Human Rights Report on Trafficking in persons, especially women and children’, 2012. Retrieved 3 November 2012 from < <http://www.protectionproject.org/wp-content/uploads/2010/09/Nigeria-FINAL-2012.pdf>>.

2 ‘Glamour Girls II: The Italian Connection, 60 min., VHS colour video (movie), Nek Video Link, Lagos, 1994

3 R Ingeve, *Report of the Consultative Forum on HIV/AIDS*, Asaba, Delta State, Nigeria, 2010

international crime⁴. This blaming of human trafficking on Nigeria's porous borders is rather superficial. It ignores more serious issues pertaining to the historical socio-economic and political traumas and inadequacies that Nigeria, like other African countries, have experienced. Ignoring the relationship among human rights violations, international crime and human trafficking constitutes one of the factors that perpetuate the increasing intensity of this problem in the country. Human trafficking has been defined as the use of threat, coercion, fraud, deceit, abuse of positions of influence, exploitation of vulnerability of persons, among other inappropriate means to recruit, transport, transfer, hide, harbour and trading of persons, exercising exploitative control over weak individuals⁵. Although, it has been a global problem affecting about 12 million people forced to labour for the profit of others, human trafficking involves about 2.4 million people trafficked around the mid-2000s⁶.

Empirical studies on human trafficking in Nigeria have related the problem to various reasons. The Niger Delta city (Benin) in Edo state has been reported to be a contemporary transit point for coordinating/organizing girls/women trafficked from various parts of Nigeria for onward transfer to several foreign destinations. Myriad paths through which girls/women are trafficked from various parts of Nigeria to Benin city before onward movement to Global North nations of Western Europe (Spain, Italy, France) and North America have been traced. This shows how Benin has retained its leading position in two major periods of the international crime of slavery thereby uniting current human trafficking with old trans-national/Atlantic slave trade and showing how Nigerians' misery transcends the borders of Nigeria⁷ in an elusive quest for material fulfillment as governments, institutions/organizations watch or profit from the scandalous cruelty. Other scholars have related the problem to food security while recognizing its geographic characteristics: the way in which it is perpetrated locally (within Nigeria's geopolitical regions) and across the nation's borders⁸. While other contributors to the discourse have focused on the perception of the problem in agrarian communities in Nigeria's Niger Delta⁹. Rural communities in Nigeria's two geopolitical zones: South-South (including states of Akwa Ibom, Bayelsa, Cross River, Rivers and Delta) and the South West states of Oyo, Osun, Ogun have been found to be the suppliers of vulnerable people trafficked to the cities of Nigeria's Middle Belt region, a geographic location contrasted to the geopolitical zones comprising the North Central and the neighbouring zones in Nigeria¹⁰.

4 UNCHR, Trafficking in Persons Report - Nigeria, 2010-2012. Retrieved 3 November 2012 from < <http://www.unhcr.org/refworld/country,,USDOS,,NGA,,4fe30ca5c,0.html>>.

5 UNESCO, 'Human Trafficking in Nigeria: Root Cause and Recommendations', *Policy Paper*, no. 14.2 (E), 2006

6 ILO, Global Alliance against Forced Labour, ILO, Geneva, 2005

7 OM Osiki, 'Benin city's contribution to global human trafficking: A historical reality and an ethical dilemma' in Agwuele, AO, Nwankwo, UM, & O Akinwumi, (eds), *Multidisciplinary Perspectives on Overcoming the African Predicament. Proceedings of the 2010 Berlin-Africa Conference*, Media Team, Berlin, 2010, pp. 40-56

8 AU, Ofuoku, 'Human trafficking in Nigeria and its implications for food security', *International Journal of Rural Studies (IJRS)*, vol. 17, no. 1, April 2010, pp. 1-6

9 MG, Olujide, OI, Oladele, & AA, Akinbobola, 'Knowledge and perception towards human trafficking in agrarian communities of Niger Delta, Nigeria', *Life Science Journal*, vol. 8, no. 2, pp. 821-827

10 *ibidem*

Objectives

The objective of this article is to contribute towards the understanding of the connection between human rights violations, human trafficking and related issues stifling the development of the Niger Delta. Specifically, we clarify why this region that is richly endowed with human and natural resources, has suffered both human and biophysical degradation since its fossil fuel resources started earning the bulk of Nigeria's national revenue since the 1960s, shortly after the discovery of oil in the region in the late 1950s.

Theoretical hypotheses and propositions.

We theoretically hypothesize that: human trafficking in Nigeria's Niger Delta region is one of various forms of violations of human rights resulting from the marginalization policies formulated and implemented by two major government sectors (namely: traditional and modern) in Nigeria. Embedded in the foregoing major hypothesis is our minor proposition that the marginalization occurs at multiple regional scales: beginning at the national level in the form of federal government policies; they are adopted by governments at sub-national levels whereby the policy principles and strategies implemented by the federal government of Nigeria are complemented or supported by those enforced by supportive governments at the 36 states and 774 local councils and traditional ruling institutions. Traditional gender insensitivity, degradation, and deprivation of some people's social and economic rights render women and girls susceptible and vulnerable to human trafficking. What accounts for the rather high level of human trafficking in Nigeria despite the country's reputation as one of the world's leading exporter of petroleum oil since the 1970s and more recently: gas?

Organization of this paper

The rest of this discourse is organized and presented in sections. We provide geographic, and socio-economic descriptions of the Niger Delta, and present the context for human trafficking in the form of various violations of human rights at the national level before outlining the methods of study applied here. Then, we link gender insensitivity, social and economic rights to human trafficking in Nigeria's Niger Delta region to two major sectors of government (namely: traditional and modern) in Nigeria. Then, we show the *kaleidoscope* of human rights violation in Nigeria, the way this crime is perpetrated at multiple levels: federal government violations of people rights in the Delta and inherent in it, the systematic violation of human rights by the collective elite in the ensemble of those in the federal government mindset including those acting through sub-national governments (provincial/state, local government councils, trans-national corporations (TNCs), among other elitist conclaves, and fraternities). We argue that efforts directed at eliminating human rights violation and enthronelement of sustainable development involving improvement in socio-economic and environmental conditions of the

Niger Delta and its people, especially those who have been contrived to become vulnerable to harm by socio-economic and environmental systems are multifaceted. We propose that counteractive measures and policies should address the inter-regional inequality, defects in the existing socio-economic and environmental policies/programmes in terms of justice and fairness.

Geographic and socio-economic characteristics of Nigeria's Niger Delta including triggers of human trafficking

The Niger Delta is a region in Nigeria covering about 110,624 square kilometers (about 12.2% of Nigeria's territory¹¹. With its location stretching from Nigeria's coastal area in south-western Nigeria, marked by Benin River to south eastern Nigeria, marked by the Cross River, the Delta forms the world's third largest mangrove forests and the precious resources associated with this ecological setting (wetlands). Some of the enormous and precious resources of the Delta include about 150 species of fish, West African primates, hippopotamuses, and rare pigmy hippos. Nigeria's reputation as one of the world's leading producers/exporters of hydrocarbons or fossil fuels (crude petroleum oil and natural gas, which have mostly been flared during oil production since the 1950s and more recently exported to an increasing number of foreign countries, were/are derived from huge deposits of these resources in the Delta. Sadly, during the over 50 years that these minerals have been cornered by Nigeria's elite to build grandiose far-flung national capitals (formerly Lagos and currently Abuja, the power gladiators in military, business/industry, among other institutions) to attract global acclaim for the affluence erroneously attributed to the whole country, the parasitic elite have deliberately neglected the Delta to environmental and socio-economic degradation arising from the use of crude methods and approaches of oil production by Oil Transnational mega-Corporations operating in the region (OMNs). The Delta's endowments of natural resources include a large share of Nigeria's 4635 million metric tons of oil equivalent (*mtoe*) of petroleum oil; 4497 million (*mtoe*) of natural gas¹². Other natural resources of which substantial portions are located in the Delta include: about 30 billion barrels of oil equivalent of Bitumen, 14,750 MW of small and large hydropower, 13,071, 464 hectares of biomass energy. Consequently, the native people of the Delta have been systematically pauperized and impoverished through exclusion from the enormously rich hydrocarbon industry's operation and most of the spin-off business associated with it. Therefore, the oil production process has caused untold damage to the Delta environment and thereby destroyed the livelihoods of the people, especially peasants). Under the geopolitical configuration of Nigeria's federation, which evolved over the years preceding its independence in 1960, the Delta covers nine of the total 36 states constituting Nigeria. With a population of over 31.2 million, the Delta possessed 22 percent of Nigeria's total population¹³. The projection that 51.6% of Nigeria's population

11 National Bureau of Statistics, *Annual Abstracts of Statistics*, Abuja, Nigeria, 2006

12 WRI, *World Resources 2005 - The Wealth of the Poor—Managing Ecosystems to Fight Poverty*, World Resources Institute, Washington, 2005, p. 201

13 *Annual Abstracts of Statistics*, 2006

was under the age of 25 years, excluding other older youth up to age 40 years¹⁴, and the earlier description of marginalization of the Delta indicate that the region presents socio-economic problems such as the “youth bulge” associated with unemployment, despondency and social disorder. The Delta’s under-25 years-old population of about 16.1 million constituted about over half of the total population of the region in 2006! Using the national population growth rate of 3.2% per year (National Population Commission, 2006), the Delta’s population was estimated to rise to about 34.4 million in 2010. With high unemployment in Nigeria, estimated at affecting about 40 million youth in Nigeria in the late 2000s, the historical and systematic marginalization of the Delta aggravates the youth bulge in the region.

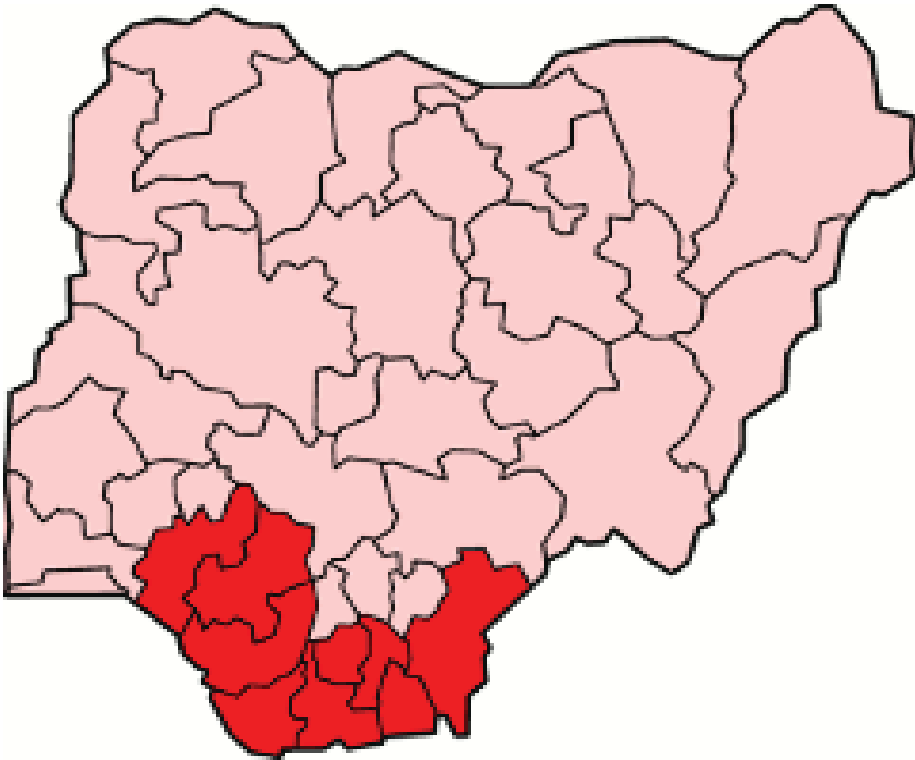


Figure 1. Nigeria showing the Niger Delta region (as shaded portions)

Context for human trafficking, international crime and human rights violations

Our personal life experiences in Nigeria as affected by policies of previous and current administrations and the review of the literature reveal that the trafficking of persons, among other violations of human rights in the Niger Delta, has a

¹⁴ National Bureau of Statistics, *Nigeria in Figures 2006*, Abuja, Nigeria, 2006

long history and extensive international criminal and socio-political ramifications. Historians, political scientists, film makers, among others, have reported how the inter-continental slave trade of the past centuries was the most inhuman form of trafficking of several millions of the most adept youth of the Delta, like elsewhere in Africa, to be belaboured like beasts in the vast plantations of the Americas¹⁵. The Delta featured prominently in resisting unequal trade contrived by Europeans to exploit the Niger Delta prior to Europe's partition and colonial rule of Africa. The stiff resistance waged by King Jaja of Opobo (one of the Kingdoms of the Delta) led to the invasive expulsion of King Jaja to the Carribbeans, where he later died. The partition of the African continent and the repression of its existing autonomous nationalities at the Berlin Colonial Conference (BCC) paved the way for a traumatic colonial rule by European empires¹⁶. This was followed by neocolonialism, imperialism and neoliberalism. The latter was facilitated by the launching of a transnational trade in the sixteenth century. The emergence of contemporary human trafficking has been likened and attributed to the former scandalous and inhuman international slave trade¹⁷. This established link and association have also been made between ongoing land-grabbing and the series of traumas, underlain by Europe-inspired neoliberalism, suffered by African countries. The failure of Nigeria, among other African countries, to achieve socio-economic development/progress has been attributed to the unwillingness of successors of the European colonialists to break away from the invidious culture, institutions, processes, structures, and attitudes associated with neoliberalism. This point comes into bold relief when the persistence of socio-economic challenges facing a disproportionately large proportion of Nigerians such as the poverty makes girls/women to become increasingly vulnerable to human trafficking is examined in super-position on the immensity of natural and human resources endowed to the Delta, like nowhere else in Nigeria. We will return to examine this context shortly.

Apart from being one of sub-Saharan Africa's largest countries with a landmass of 909,890 square kilometers¹⁸, Nigeria's possession of huge potentials for achieving socio-economic development has been widely documented. This refers to its large population of about 151 million¹⁹ which constitutes about 20% of sub-Saharan Africa (SSA)'s total population²⁰. Yet Nigeria presents one of the most scandalous levels of human rights and poverty in the world. Central to this paradox is Nigeria's Niger Delta (henceforth Delta), a region that has been hailed as a pioneer in the movement for environmental and human rights in the world due to the campaigns led by the environmentalist, Ken Saro-Wiwa in the 1990s. Results of recent Universal Periodic Review (UPR) of Nigeria showed poor human rights records that attracted the attention of the United Nations' in February

15 JUJ, Asiegbu, *Nigeria and its British Invaders, 1851–1920: A Thematic Documentary History*, NOK Publishers International, New York, 1984; W, Rodney, *How Europe Underdeveloped Africa*, Ikenga Publishers, Owerri, 1972.

16 I, Chinweizu, *The West and the Rest of Us: White Predators, Black Slavers, and the African Elite*, Random House, New York, 1975

17 Asiegbu, 1984; Rodney, 1972

18 *Annual Abstracts of Statistics*, 2006

19 World Bank, 2009. Retrieved from <[http://siteresources.worldbank.org/DPP/ENV/Data](http://siteresources.worldbank.org/DPP/ENV>Data)>

20 WRI, *World Resources 2005*

2009. The injustice that attracted the uprising of Ogoni people of south eastern Nigeria had earlier caused Isaac Boro to urge the people of this region to rise up in arms and demand for self-determination and freedom from the oppressive federal government of Nigeria in the 1960s²¹.

While the federal government's response to both rebellions has been to crush their leaders, the recent movement flourished despite the extra-judicial executive by hanging of the lead campaigner, Ken Saro-Wiwa and nine other Ogoni men in November 1945. Another similar movement by the Odua Peoples Congress (OPC), a militia championing the charge of marginalization of the Yoruba people, cultural nationality located in south-western Nigeria, against the maximum dictator, Sani Abacha, in the late 1990s, provided the socio-political substrate for civil society organizations in the wider regional-ambit of the Niger Delta to marshal its charge of marginalization against the Obasanjo administration (1999-2007). Although the marginalization of the Niger Delta started even before Nigeria attained flag independence in October 1960 and continued uninterrupted up to the present, Nigeria's Fourth Republic (fourth democratic project resulting from persistent military incursion into the nation's political system) launched 29th May 1999. Although marginalization of the Delta started during the British colonial misrule, which succeeded unequal trade and slavery orchestrated by European imperialists, and successive post-independent indigenous administrations comprising dictatorships and pseudo-democratic parasitic or non-generative elitist administrations, domination of Nigeria's successive dictatorships (1983-1999) by Hausa-Fulani soldiers (Mohammadu Buhari, Ibrahim Babangida, Sani Abacha, and Abdulsalami Abubakar) raised marginalization of southern Nigerian cultural nationalities to heights unprecedented in the nation's history. Therefore, the north's realization that pacifying southern Nigerians with the presidency of Nigeria and also putting an end to dictatorship was crucial for perpetuating the aberrant federal system of government and also continuing the national revenue earning from extraction of the Delta's fossil fuel (oil and natural gas) deposits for export. The elitist political contrivance by the Hausa-Fulani soldiers led by Babangida as a strategy for their recovery of democratic presidency shortly afterwards enthroned Olusegun Obasanjo, a retired general of the Yoruba extraction, who had been a dictator between 1976-1999, as Nigeria's president in 1999²². This created a more conducive political environment for the flourishing of civil society of various geopolitical zones of Nigeria. In southern Nigeria emerged: the Movement for Actualization of the Sovereign State of Biafra (MASSOB), for resurrecting the Ibo's earlier secessionist campaigns of the mid-to-late 1960s; multiplicity of cultural militia organizations struggling for emancipation of minor cultural groups in the Niger Delta including the South-South zone; while the OPC, which rose to prominence during Sani Abacha's dictatorship of the mid-1990s, consolidated in the south western Yoruba-land.

21 MOSOP, 'Oils of Injustice: Nigeria, the Niger Delta and UPR', 2009. Retrieved 1 December 2012 from < http://www.mosop.org/09_Niger_Delta_CSOs_Lobby_Document_For_the_UPR.pdf>; CI, Obi, 'Oil extraction, dispossession, resistance and conflict in Nigeria's oil-rich Niger Delta', *Canadian Journal of Development Studies*, vol. 30, no. 1-2, pp. 219-236
22 M, Akpan, 'The pot and kettle war', *Newsmatch*, 5 September, 2011, p. 5

Methods and data

This study presents us a suitable case for applying etiology, a method that resembles causation because of its involvement of the creation of the nature of the principles of logical and empirical laws that govern outcomes, which in this study of the interrelationships among violation of human rights, international crime and human trafficking in a rich but poor sub-national region: the Delta. Etiology employs systematic and scientific procedures to study the causation of outcomes of phenomena. It originated in the medical sciences, where it was used for producing robust results. Its procedure includes: a preliminary description of the study's object in order to provide a basis for subsequent analyses of issues involved; identification/isolation of the fundamental constituents of the phenomena that the study is concerned with and also the nature and principles that govern inter-relationships among aspects of the phenomena. The basis for determining inter-relationships among the origin, history and evolution of the phenomena and subject matter of the study considers that their consequences are not discrete but developmental, dialectical contrasted to being final. Etiology was increasingly adopted for analyzing numerous problems facing society and of interest to various social scientists (sociology, criminology (gangs, mafia, cultism, delinquency, among others) due to the way consistent results obtained from using the method became known by specialists outside medical sciences, where it was originally applied²³. Dialectical characteristics of most phenomena or the way most issues present two aspects of the situations makes them to affect each other²⁴ make them amenable to analysis by applying etiology.

Our adoption of etiology as a suitable method for this study was determined by the great results obtained from its previous applications by one of the authors of this article to studying various problems hampering the achievement of sustainable development in Nigeria and Africa. A few examples of such applications include: clarification of the role of diplomacy in Sino-Nigeria politico-economic relations²⁵ analysis of the increasing problem of land-grabbing in Africa by rich countries of the global North and emerging economies²⁶; and to explicate the role played by neoliberal globalization, financial and economic crises in slowing down and sustainable development process in Africa. Other recent applications of etiology were: to show how Nigeria's federal legislators (National Assembly) recently undertook a neoliberalization campaign to de-autonomise the Central Bank of Nigeria's involving their equivocation on "transparency, credibility and accountability" of the institution; to propose an agenda, with strategies, for investigating/analyzing the processes of and inter-relationships among urbanization, urban environmental quality, national socio-economic conditions

23 O, Igwe, *Politics and Globe Dictionary*, Eagle Publishers, Aba, 2005, pp. 6, 56-57

24 idem

25 J, Okoro, R, Ingwe, & MO, Ojong, 'Diplomacy in China-Nigeria politico-economic relations', *Romania Journal of Society and Politics*, vol. 6, no. 2, (Issue 12), December, 2012, pp. 89-120.

26 R, Ingwe, J, Okoro, & JK, Ukwai, The new scramble for Africa: How buying of large parcels of land in Sub-Saharan Africa threatens sustainable development in the region, *Journal of Sustainable Development in Africa (JSDA)*, vol. 12, no. 3, 2010, pp. 28-50

and disease burden on Africa's population, by sub-regions²⁷; to explicate the federal government of Nigeria's intervention aiming to transform the *Hausa-Fulani Almajiri* education and its connection with the Islamic sectarian (*Boko Haram*)'s terrorism in northern Nigeria as a means of the latter's neoliberal hegemonisation of Nigeria's multi-cultural nationalities among others. We obtained data from multiple reliable secondary sources including previous publications of human rights violations in Nigeria, usurpation of land parcels owned/used by the peasantry (small farm-holders systematically excluded by the modern government sector in Nigeria/Africa). We used qualitative interpretation for analyzing the data and information.

High Level of Human Trafficking in Nigeria: An Explanation

What accounts for the rather high level of human trafficking in Nigeria despite the country's reputation as one of the world's leading exporter of petroleum oil since the 1970s and more recently: gas? To answer this (latter) question, we subscribe to the views of public analysts and commentators on Nigeria's governance challenges generally and argument that perpetration of scandalous corruption by Nigeria's ruling elite is responsible for the acute poverty of the majority of citizens and also gross inadequacy of the infrastructure²⁸. To mark its seriousness, this problem has been described as the "Culture of Corruption"²⁹. Therefore, we turn to this matter by briefly reviewing some aspects of the perpetration of corruption in Nigeria, after presenting the methods used for this study.

Elite Corruption and Its Role in Increasing the Vulnerability of Nigerian Girls/Women to Human Trafficking

The link between corruption and citizens' rights violation has been well made across national borders: United States' Court of Appeals Judge John Mercer Walter argues that corruption violates the principles of fairness, equal treatment of people on opposite sides of the socio-economic strata of national societies, inhibits economic development and causes the dwindling of foreign direct investment flowing to a country afflicted by high incidence of corruption³⁰. Citing the way it causes acute poverty of the majority of Nigerians, takes off funds from the public treasury that could have been applied to provide socio-physical infrastructure as well as jobs, the increasing vulnerability of Nigerian women and girls to trafficking in persons for sex work in the global North has been blamed on corruption by activists and activists concerned with HIV/AIDS infection among other socio-economic challenges afflicting Nigeria and Nigerians³¹. Commentators on the

27 R, Ingwe, 'Urbanisation, urban environmental quality, national socio-economic conditions and diseases burden in Africa: an agenda for analysing, sub-regional characteristics', *Journal for Geography*, (forthcoming)

28 N, Ribadu, 'Corruption: the Nigeria Example (Address to the US House of Representatives, May 2009)', *The Week*, vol. 29, no. 13, June 1, 2009, p. 50 & vol. 29, no. 14, June 8, 2009, p. 50.

29 DJ, Smith, *A Culture of Corruption: Everyday Deception and Popular Discontent in Nigeria*, Princeton University Press, Princeton and Oxford, 2007

30 IU, Onyukwu, 'Corruption Violates Citizens Rights', in 'Corruption: A Controllable Disease?', *Crossroads* (A Newsletter of the US Mission in Nigeria), vol. 18, no. 4, pp. 4-5.

31 R, Ingwe, *Report of the Consultative Forum on HIV/AIDS*, 2010

relationship between corruption and serious poverty in Nigeria draw attention to the hey day of Nigeria's oil boom (1978), when the country's elite (military dictators, bureaucrats/technocrats, and their cohorts) transferred monies looted the public treasury on average of about US\$10 per year (equivalent to about 40% of the nation's foreign exchange earnings) to coded bank accounts abroad (Switzerland and elsewhere). Irrespective of Nigeria's huge earnings (average: US\$20 billion/year) in 1978, dictators of the time went ahead to borrow US\$1 billion, stole and stashed the money in Swiss accounts, as soon as the loan was given. Due to the political immunity granted to the retired dictators who borrowed and stole that money, succeeding Second Republic politicians pretended that no crime was committed and proceeded to borrow another US\$2 billion in 1979. Looting of public funds continued or escalated afterwards. Dictator Sani Abacha stole between US\$5 billion and US\$50 billion. A substantial proportion of Nigeria's earnings from oil export during the 1980s Gulf crisis were stolen by dictator/general I.B. Babangida (1985-1993). The Obasanjo civil administration came into disrepute for scandalous corruption at three (federal, state and local) levels of government. High level corruption by Nigeria's bureaucrats through over-invoicing and so forth has been reported³². While the minority elite live in opulence, Nigeria's majority wallow in abject poverty. Public analysts also recall how Nigeria's politicians

Poverty Resulting from Corruption as Human Rights Violation

Surveys in the 1980s-90s revealed that 70.2% and 90.8% of Nigeria's population were poor (unable to earn/spend US\$1/day and US\$2/day³³). There has been a high level of inequality (index of 50.6) indicating a problematic situation whereby other people will strive to achieve equality. The Human Development index, (UNDP measure of "average achievement in three basic dimensions of human development including a long and healthy life, knowledge and a decent standard of living for Nigeria in 2002 was 0.47 compared to 0.67 in South Africa; 0.59 in Botswana and 0.65 in Gabon. The human poverty index, in which the highest degree of poverty is scored 100, in 2002 scored Nigeria 35.1 compared to better conditions elsewhere such as South Africa (31.7), Ghana (26.0); and Equatorial Guinea (32.7)³⁴. Despite possessing second largest total gross domestic product (GDP) in Sub-Saharan Africa (SSA) in 2002, Nigeria presented one of the least (37th) per capita government spending on health care in the rather poor region. While South Africa's government per capita spending of US \$270 on health care was the largest (i.e. corresponding to her first position on the size of her total and per capita GDPs, Nigeria's performance on this human capital building activity was surpassed by Botswana and about 35 other SSA nations. The foregoing scenarios have persuaded scholars to adopt theories of strain and anomie as relevant for

32 P. Adams, *Odious Debts: Loose lending, corruption and the Third World's environmental legacy*, Earthscan, London, 1991, p. 136; RW Lombardi, *Debt Trap*, Praeger, New York, 1985; Ribadu, 2009; B. Omojola, 'The Niger Delta: Rich, but very poor.' (A special Report), *Africa Today*, October 2007, pp. 20-39; TW, Parfit & SP, Riley, *The African Debt Crisis*, Routledge, London, 1989; RT, Naylor, *Hot money and the politics of debt*, McClelland and Stewart, Toronto, 1987; GB, Ayittey, 'The real foreign debt problem', *The Wall Street Journal*, April 8, 1986

33 WRI, *World Resources 2005*

34 idem, p. 189

studying the way poor/desperate Nigerians resort to unacceptable habits/crimes due to high level of inequality between the elite and poor masses. This arises from failures of Nigeria's formal system to provide the poor opportunities to "succeed" thereby forcing them to resort to crime in the bid to achieve or "make it"³⁵.

A human rights framework for analyzing problems in sustainable socio-economic and ecological/environmental development

Recently a human rights analytical framework has emerged that includes the rights (needs and/or conditions) of individuals and groups to: food, adequate housing, acceptable/decent standard of living (including access to environmental resources such as land), right to employment aid, and information, and political participation. These rights have been packaged into what is described as the ICESOR framework. This framework has been applied in assessing or studying the extent to which the human rights of individuals and groups have been violated by others in several areas too numerous to be mentioned, space being inadequate to contain their reviews here. Specifically, the ICESOR framework has been used to improve the understanding of increasing perpetration of land-grabbing a concept describing the use of structural power for seizing land owned/used by the poor, weak and vulnerable peoples of the Developing Countries (DCs) and elsewhere globally³⁶. Similarly, the framework has been used by Deininger³⁷, to expose "Challenges posed by the new wave of farmland investment" by TNCs and the rich, by FIAN, (2010) to "report on two research missions and analysis of land grabbing" in Kenya and Mozambique", and by Visser, and Spoor, (2011) for analyzing "Land-grabbing in post-Soviet Eurasia" described as "the world's largest agricultural land reserves at stake".

Therefore, we adopt the ICESOR framework for studying some of the violations of human rights in the Delta by the Federal Government of Nigeria (FGN), and oil transnational mega-corporations in the form of land-grabbing and the way this contributes to human trafficking in the Niger Delta. The violations of the human rights encapsulated in the ICESOR involve violation of the rights of the present and future generation of the Delta people and also represents a long-term destruction of ecological and socio-economic systems of the region. It compounds complex challenges encountered in undertaking land reforms required in making and implementing agrarian (land) reform policies for rural transformation/development required in the rural Niger Delta³⁸. Rather than cover all the four components of the above framework, we focus on one of them (acceptable/decent standard of living, including access to environmental resources such as land) because of the

35 J, Ukwayi, R, Ingwe, & F, Ojong, 'The prevalence of missing persons in Africa's premier mega city (Lagos, Southwestern Nigeria): descriptive and comparative analyses', *Nigerian Journal of Social & Development Issues*, 2010

36 SM, Borrass Jr, R, Hall, I, Scoones, B, White, & W, Wolford, 'Towards a better understanding of global land-grabbing: an editorial introduction', *Journal of Peasant Studies*, vol. 38, nr. 2, 2011, pp. 209-216

37 K, Deininger, 'Challenges posed by the new wave of farmland investment', *Journal of Peasant Studies*, vol. 38, no. 2, pp. 217-247

38 FIAN, 'Land grabbing in Kenya and Mozambique: a report on two research missions and analysis of land grabbing' in A, Florini, *The coming democracy*, Brookings Institution, Washington, DC, 2005

wide scope provided by it for analyzing the challenges faced by the poor people of the Delta. Therefore, we immediately examine the suitability of land grabbing in the Delta for exploring the factors driving human trafficking in the Delta.

Land-Grabbing and Human Rights Violation, Poverty and Human Trafficking

The basic building blocks for making connections among the foregoing phenomena (land-grabbing, poverty and human trafficking) was recently provided by academics and activists concerned with rural studies, human rights and the wider social sciences who participated in a 'global land-grabbing forum'. Naturally, contributions to this growing field have come in different dimensions. Oane Visser and Max Spoor highlight the adverse consequences of land-grabbing on the world's largest agricultural reserves in Eurasia under the post-Soviet/USSR setting³⁹. Oliver de Schutter criticizes the large-scale investment in land owned by poor or developing countries (DCs) by transnational mega-corporations (TNCs) based in rich developed countries as well as emerging economies such as Korea, China, among others. Schutter's critique conforms to previous attacks on the owners and valorizers of capital by a community of academics and activists advocating for fair globalization and better systems of managing global and national economies⁴⁰. These neoliberal capitalists were those who resorted to this form of neoliberal capitalism after the grandiose trauma that it was exposed to between 2007 and 2009 and almost ongoing. The neoliberalistic capitalist trauma caused investors to lose interest in the valorization of capital, a practice that has increasingly been undertaken since the advent of capitalism and founding of TNCs several decades ago⁴¹. Therefore, investment in land is considered to be one of the safest and one that seems to guarantee the security of capital. Klaus Deininger) joined scholars e.g. Richard Ingwe and colleagues who blazed the trail in drawing attention to the increasing threats posed to the peasant majority by large-scale investment in land by capitalists⁴². Other scholars and activists have elucidated on the increasing large-scale investment in land suitable for agricultural production in DCs⁴³.

Land-grabbing as a principal driver of poverty and human trafficking in the Niger Delta

Following increasing reports in the literature concerning the way land-grabbing leads to destitution thereby provoking the resort of landless people to human trafficking in poor countries, it (land-grabbing) can easily be seen as a key driver of poverty. This is because of the way it leads to eviction of peasants from their ancestral

39 O, Visser, & M, Spoor, Land-grabbing in Post-Soviet Eurasia: the World's largest agricultural land reserves at stake', *Journal of Peasant Studies*, vol. 38, no. 2, pp. 299-323

40 U, Brand, & N, Sekler, (eds), 'Postneoliberalism: a beginning debate', *Development Dialogue*, no. 51, January 2009.

41 B, Onimode, 'Imperialism and Multinational Corporations: A Case Study of Nigeria', *Journal of Black Studies*, vol. 9, no. 2, December 1978, p. 207; J, Mihangwa, 'Multinationals: a threat to third world economic growth', January 2011. Retrieved 3 November 2012 from <<http://www.thisday.co.tz/?l=10993>>

42 See Deininger, 2011.

43 See, SM, Borrass Jr, et al, 2011.

lands, deprives them of livelihoods, pushes them into cities and human settlements outside their 'usual places of residence' and frequently into human trafficking.

Inevitability of land-grabbing vs. stoppage of land-grabbing as means of alleviating enormous violation of human rights

Two broad arguments have coloured the land-grabbing debate. First, some fraudulently claim that land-grabbing is an inevitable phenomenon that is a natural correlate of neoliberal capitalism. Those pushing this argument have increasingly advocated for an international code of conduct (CoC) as a means of reframing, regulating and guiding the phenomenal land-grabbing arising from the 2007-09 global financial-economic crisis of neoliberal capitalism. They justify this strategy as a means of achieving a 'win-win' scenario for stakeholders (investors in land, peasants, among other 'publics' including communities. Secondly, the acclaimed inevitability of land-grabbing, and the adversities associated with it, is completely rejected. The critics of land-grabbing promoters and CoC proponents draw attention to the fundamental questions surrounding land-grabbing: the unjust domination of global and national food and energy industrial landscapes by TNCs, which collaborate with national governments to wield and apply soft-/hard structural power to emasculate the peasant majority from their ancestral lands and by extension their livelihoods. The opponents of land-grabbing state that CoCs facilitate the flourishing of land-grabbing whose adverse consequences for other stakeholders remain unchanged. Whether or not based on CoCs, land-grabbing does not inherently than address the challenges it poses for society. Therefore, we subscribe to the view that land-grabbing deserves to be prevented through concerted efforts involving the application of a human rights framework for realigning political-economic institutions, structures, processes, and attitudes at international, (sub)national and local levels⁴⁴.

International criminal corruption/theft by Nigeria's political elite

Involvement of soldiers and dictators of Developing Countries, including Nigeria, in the international crime of looting their national treasuries to stash away in foreign banks accounts (in Switzerland, among other developed countries) has been documented. It has been reported that on the eve of Nigeria's Second Republic in 1978, the dictators of the time in connivance with members of their '*Kitchen Cabinet*' stole money in an amount running around one billion US Dollars! To avoid prosecution by the democratic government to which they handed over the reigns of political power, contrived and mired in controversies and disputes, the dictators extracted guarantee of political immunity from investigation and prosecution before retiring⁴⁵. The democratic government that succeeded the looting dictatorship was sacked by another bunch of dictators, after only four years in office, for the same crimes of public treasury looting and globally reputed squander mania. Afterwards, Nigeria's silent, poor and helpless majority suffered under a series of

44 SM, Borrass Jr, & JC, Franco, 'Global Land Grabbing and Trajectories of Agrarian Change: A Preliminary Analysis', *Journal of Agrarian Change*, vol. 12, issue 1, January 2012, pp. 34-59

45 P, Adams, *Odious Debts...*, 1991

military coups and counter coups. Soldiers jostled to seize power as a means of criminally accessing and stealing the public till dryness. This situation came to its peak when it became public (after the sudden death of dictator Sani Abacha, whose dictatorship succeeded that of Babangida in 1993 and ended with his death in 1998) that in connivance with his loyalists, the dictator stashed away in foreign banks between US\$5 Billion and US\$50 billion⁴⁶. Apart from the way in which Nigeria's last dictator, Abdulsalami Abubakar, was discovered to have criminally enriched himself within the few months he ruled the country (under the contrived transition among transitions from military dictatorship to civil government that was achieved 29 May 1999), the succeeding Obasanjo (civil) administration earned one of the dirtiest reputations of monumental corruption in Nigeria's history. At the end of the Administration's two terms of four years apiece in 2007, as much as 30 of the 36 governors of the nation's federal states were accused of criminally stashing away in foreign banks millions of US Dollars stolen from the treasuries of states they were supposed to govern. About four of these people have been convicted or awaiting conviction within and outside Nigerian judiciary.

Anthropologists have shown how human civilization has been and remain dented by uncivil actions of the economically and politically powerful elite that lead to undesirable consequences as a result of the way vested interest groups. These include cultural groups which monopolise the State and deploy the State's instruments of violence, in connivance with Transnational (mega) Corporations claiming to be engaged in business to wield and employ enormous economic-political power to violate the human rights of other politic-economically weak members of national societies. Some of the several adverse consequences resulting from such invasive actions include: violent repressions/oppressions, poverty, and marginalization, among other forms of human degradation⁴⁷.

The Niger Delta, a region in southern Nigeria, reputed for containing about 90% of the nation's natural resources especially hydro-carbon energy deposits which have for over 50 years been exploited to earn about 90% of Nigeria's national revenue, yet presents the stark paradox of having a disproportionately large population of the region wallowing in poverty, inadequacy of socio-physical infrastructure and community services provides an ideal place for examining inter-relationships among human rights violations, international crime and human trafficking. Although some of these issues have attracted attention of scholars contributing to the literature on the Delta's socio-political, economic, and environmental conditions, key aspects of the paradox in the region remain poorly known and unexplored. The paradox presents an ideal opportunity for scholars to illustrate the inherent human rights violation of the region's population and the deprivation of the region's own rights for controlling its developmental destiny, determination of strategies for local-regional economic empowerment and development strategizing through endogenous design of plans that aim towards utilizing locally available resources as a basis for satisfying demands of local-regional populations for goods and services (National Planning

46 B, Omojola, 2007; N, Ribadu, 2009.

47 WA, Haviland, HEL, Prins, D, Walrath & B, McBride, *Anthropology*, Pearson, New Delhi, 2005, pp. 725-730

Commission, 2004). The acute poverty that afflicts the people of the Niger Delta contrasted to the affluences of other far flung parts of Niger, where the power elites operate and reside, has been well documented in the scientific literature. The disparity in sharing of the benefits derived from the large commercial deposits of fossil fuels in the Niger Delta to different parts of Nigeria, various socio-economic strata of the nation's population is poorly understood. Although, the literature on this aspect of sustainable development is increasing⁴⁸, the manner in which human rights violations bifurcates with other social, economic and environmental rights and conditions in the Niger Delta region is yet to be explicated in a way that is commensurate to the scale of the challenge.

Human rights violations, gender insensitivity, worsening socio-economic and environmental/resource conditions, and human trafficking: The role of Nigeria's and Africa's traditional and modern government sectors

Following the trail blazed several decades ago by academics in several disciplines (anthropology, law, sociology, among others) in linking human rights violations to declining socio-economic and environmental fortunes of human populations, recent studies aimed at understanding various facets of these interrelationships have reported how some cultural practices that deprive women and girls of their human rights to own property and assets such as land in Africa, have forced them to flee their villages and homelands and drove them into multiple levels of migratory movements. Multiple levels of migratory movements are those that throw the migrants to near and/or distant places which might fall under the following geo-political categories: (inter)national, sub-national-central, provincial/state, local, inter-village⁴⁹. It was earlier reported that the decision to arrive at a particular destination, and the distances traveled by migrants in search of the opportunities that could transform their socio-economic conditions have been determined or decided upon or based on factors such as the robustness of information and assurance of social and economic transformation of the migrants' life condition, and contacts/hosts/hostesses.

Therefore, Tacoli and Mabala (2010) draw from earlier knowledge that push factors for rural-urban migration include an aggregate of economic adversity or limitation in economic opportunities such as jobs and poor social conditions namely inadequacy of social and physical infrastructure in rural areas. The new knowledge disaggregates social problems in human settlements where cultural practices are yet to experience profound changes by specifying that cultural factors do drive migration from communities that present cultural practices hostile to some particular gender categories. It might be concluded that migration in Africa is approved by

48 MOSOP, 2009; RK, Obi, CC, Okangba, FC, Nwanebu, UU, Ndubuisi, IC, Mgbemene & W, Braide, 'Relationship between HIV/AIDS and poverty: a case study of two cities in Abia State, Nigeria', *Current Research Journal of Biological Sciences*, vol. 2, no. 6, 2010, pp. 356-360

49 C, Tacoli, & R, Mabala, 'Exploring mobility and migration in the context of rural-urban linkages: why gender and generation matter', *Environment & Urbanization*, vol. 22, no. 2, 2010, pp. 389-395

the cultural belief in most of the region that: “A snake in coil is likely to fail to find the food it needs. It is in moving out that the desirable things in life could be fetched” (Several cultures in Nigeria and sub-Saharan Africa, SSA). Different push factors of migration could be mapped in Africa. While in some parts of Africa, the females are discriminated against on the basis of deprivation of their rights to own and inherit property and assets, in other regions, the males are pushed into migration through hostile attitudes and actions that suggest that those young men (and even women and girls) who fail to migrate to places which could offer better economic opportunities are lazy⁵⁰. The foregoing authors draw meaning from case studies on discrimination against women and girls as well as from social strains and stigmatization of some male youth in south-eastern Nigeria and parts of or near this study area -the Niger Delta⁵¹. Other scholars have described/depicted factors and practices that gender-based human rights violations have been promoted by nearly all of Nigeria’s cultural groups: In reviewing “Damage”, a 75-minute Nigerian cultural movie/film recently reported how these damage-causing cultural practices occur in multiple myriad ways within cultural groups including the Igbo, Yoruba, Nupes, Hausa-Fulani, Jaws, among others and presented cultural practices that discriminate against particular genders in many ways. For example, apart from being disallowed by several cultures from owning property/assets, the females are also excluded from inheriting property/assets bequeathed by their relatives (parents, spouses, siblings who pass on or die). While boys/men are allowed to visit other families, attend community meetings where socio-political and environmental issues are discussed and resources are shared with frequent enjoyment of life’s good things, girls/women are banned from doing so, being consigned to serving and cooking for the men. As if these injustices were not enough, men-induced policies to implement massive mutilation of the genital organs of young women at the time they approach sexual maturity by cutting off their clitoris. Due to the use of this type of cruel methods and barbaric practices, many women were physically damaged and socio-psychologically wounded and traumatized for the rest of their lives⁵². The way in which policies/practices of modern governments have worsened human and environmental resource conditions through land-grabbing, marginalistic policies, among others, will be described later.

Linking Nigeria’s political and economic histories to current challenges of the Niger Delta

Most of Nigeria’s natural resource wealth includes large deposits of fossil fuels (petroleum oil and natural gas⁵³, in the Delta, which could have been harnessed to achieve economic growth a few years after independence. Sadly, shortly after attaining flag independence from the British in 1960, representatives of various cultural groups forming the country within successive elitist governments have engaged in rivalry among themselves in their bid to overpass each other in getting

50 *ibidem*

51 RK, Obi et al, 2010

52 ‘Warri, Kaduna, Port Harcourt refineries shut after attacks’, *BusinessDay* citing Reuters, 23 December 2010, p. 10

53 *World Resources 2005*

larger shares of Nigeria's revenue derived from various sources and put in a national pool managed by the Federal Government for regular sharing to governments of the federating/constituent units (Federal, 36 States and Federal Capital Territory and 777 Local Councils). This led to serious disagreements which deteriorated into a bitter 30-month-long civil war (1967-1970). In the early 1970s, as part of the discussion of strategies aimed towards reconstructing areas ravaged by the war, and returning them unto the development path, participants acknowledged wastage of Nigeria's huge assets for development (human power and natural resources) and the need for balancing the uneven development arising from unjust investment of federal government financial resources before and during the war. Unemployment was one of the most important problems also acknowledged but the challenge has remained ignored by policy/decision makers.

Despite the enormous problems of underdevelopment in the Niger Delta, the specialized literature and policy on social, environmental and economic problems afflicting Nigeria have focused on the challenges facing the more urbanized parts of Nigeria, which have used their "voices" to speak up and benefited more from resources earned from the Delta. While other regions in Nigeria received attention from academic researchers and policy makers, enormous challenges facing the Delta's society and environment have been systematically ignored by these communities during the years when revenues derived from export of its resources were used to build Nigeria's elite bases. For example, results of a study published in 1966 showed that 28 per cent of the total males in sampled households in the south western city, Ibadan were unemployed within previous nine months. Over three-quarters (or 78%) of the unemployed males were school dropouts at the average age of 19 years. Based on these findings, it was projected that about 20,000 male youth who had completed about nine years of schooling were completely unemployed in Ibadan city alone. Considering various factors such as increasing number of youth enrolling in schools, increasing population growth, and related factors, it was projected that the population of these unemployed was bound to increase in future. Research had found Nigeria's unemployed youth around the South-Western urban regions were willing to follow various life enhancing programmes such as apprenticeship in trade and commerce, crafts, small and medium enterprises, at flexible locations around the country⁵⁴. This youth unemployment in Nigeria of the 1960s coincided with descriptions of the social and economic scenarios as experiencing labour surplus, ethnic-based political conflicts culminating in the 30-month civil war. Due to the increasing youth unemployment, the civil war reportedly did not suffer shortage of young people enlisting on a voluntary basis⁵⁵.

54 O, Aboiyade, 'The Development Process' in AA, Ayida, & HMA, Onitiri, (eds), *Reconstruction and Development in Nigeria. Proceedings of a National Conference*, Oxford University Press, Ibadan, 1971, pp. 34-37; A, Callaway, 'Education and the Rise of Youth Unemployment' in PC, Lloyd, AL, Mabogunje, & B, Awe, (eds), *The city of Ibadan*, Cambridge University Press, Cambridge, 1966.

55 O, Aboiyade, 1971, p. 53

Worsening Unemployment

Various sources report that over 40 million Nigerian youth have been unemployed/under-employed after the collapse of the country's formal economic sector recently. In the early 1970s, an eminent economist, Wolfgang Stolper, lamented the way in which Nigeria's governments were in the terrible habit of spending too much on education without creating employment opportunities for the people receiving education⁵⁶. Ruefully, it turns out that the reason for Nigeria's government failure to employ her educated youth has never been due to having nothing left from spending on their education but the consequence of the annihilative culture of corruption perpetrated by the nation's parasitic elite⁵⁷. Youth unemployment in the Delta remained ignored since exploitation of hydrocarbons started in the late 1950s. This among other forms of marginalization documented by authors⁵⁸ culminated in youth insurgency in the 2000s up to the present.

Human trafficking and grievance of the Niger Delta insurgents

The fact that the Niger Delta is the region from which over 90% of the fossil fuels have been extracted for export and earnings of over 90% of Nigeria's revenue since the 1970s while the Delta itself has suffered degradation has caused the youth of the region to resort to insurgency by militant groups within the region. As in 2009, the insurgency costed Nigeria's federal government and the people over 1,000 lives and trillions of US Dollars⁵⁹. The problem has been attributed to the State's failure to successfully manage constraints challenging it as a result of contests among the multiplicity of civil society forming the country. The contesting civil society includes cultural and ethno-linguistic groups (also described by those familiar with Nigeria's social characteristics as ethnic nationalities) as well as contests between some civil society and the Nigerian State. Therefore, insurgents of the Delta are described as a special variant of the civil society who has been conditioned by their experience within a distorted federal system of government that was contrived by Nigeria's elite after the Nigerian civil war. Notice that the war which occurred in the mid-1960s remains one of the best examples, and one of the first failure of the State to provide the required space for contending the civil society parties and to manage contests among Nigeria's civil society and the State reached a point of disequilibrium shortly after the attainment of flag independence. This intransigence provides a prompt for this paper which examines recent similar contests for shares of hydrocarbon (oil and gas) resources by civil society in the Niger Delta.

56 WF, Stolper, 'Comments on Aboyade, O., *The Development Process*' in AA Ayida, & HMA, Onitiri, (eds), *Reconstruction and Development in Nigeria. Proceedings of a National Conference*, Oxford University Press, Ibadan, 1971, pp. 78

57 See N, Ribadu, 2009; B, Omojola, 2007; DJ, Smith, 2006

58 B, Omojola, 2007; R, Ingwe, 2009; L. Mitec, *The Challenge of Nationhood (Selected speeches of Ledum Mitec)*, Ebenezer Publishing, Port Harcourt, 2007

59 Ch, Ajaero, '1000 People Perish in Niger Delta Crisis', *Daily Independent*, vol. 3, no. 1793, May 4, 2009, pp. 12-21

Multiple levels of grabbing of land, resources on land and the Niger Delta's sustainable development quagmire

There are two aspects of this issue. Earlier, we described the traditional ruling and cultural practices that deprive women of their rights to property ownership especially land, among others. We turn now towards showing how governments in Nigeria violate human rights through land grabbing.

Nigeria's federal government land grabbing

The Land Use Decree, a law promulgated by the federal military dictatorship of Olusegun Obasanjo in 1978, was contrived by the elite, to arrogate Nigeria's federal government ownership of all land in the country comprising 909,890 square kilometers⁶⁰. It empowers governors of Nigeria's states to issue certificates of occupancy (C of O) to persons who qualify. Most significant to this paper is that the LUD was contrived to empower the federal government to usurp all lands in the Niger Delta thereby depriving the latter (who?) from claiming ownership of its land. The consequence has been that whenever fossil fuels (oil, gas and other commercially valuable resources) have been found on the ancestral land of households and communities in the Delta, such households are most promptly expelled from the fossil fuel/mineral deposit by invoking/enforcing the LUD⁶¹. The way this land-grabbing problem and related twisting of governance aspects by the elite compounded the problems of the Niger Delta provoked the Ogoni people to issue the Ogoni Bill of Rights in 1993⁶².

Other related issues in the federal government's exploitation of the Delta

The Delta's exploitation by Nigeria's federal government has occurred in various ways. The Delta has been systematically marginalized through revenue allocation formulae despite the fact that several Commissions set up for this purpose have always recommended formula that favour equity and fairness to the region which is wealthy in resource endowment compared to other parts of Nigeria⁶³. The marginalistic policy has provoked upheavals in the Niger Delta. Apart from the charge of marginalization by civil society of the Delta, some of its cultures/ethnic nationalities wish to opt out of Nigeria's pseudo federal system that underlies the discriminatory revenue allocation system which exploits the Niger Delta minorities.

Note that Nigeria's federal system involves collection of national revenue, over 90% of which is derived from the Niger Delta, into the federal pool –from which the total is shared discriminatively to the federating units comprising the states and local government areas/councils and the central/federal government

60 *Annual Abstracts of Statistics 2006*

61 L, Mitee, 2007

62 OU, Ndukwu, *Elements of Nigerian Environmental Laws*, University of Calabar Press, Calabar, 2000.

63 M, Akpan, 2011

(the dominant/most favoured tier). This revenue allocation/ sharing system has been implemented, since the about 50 years of extraction of oil/natural gas in the Delta, in ways that compensate the Delta for the immensity of resources derived from its land. This assertion considers that the Delta bears enormous burdens of being forced by the federal government to supply the bulk of its fossil fuels for the sustenance of the entire country and most sadly bearing the difficult burden of suffering devastating ecological, political and socio-economic problems occasioned by oil exploitation. These burdens are not neutral to all the federating regions/units in Nigeria therefore represent/pose rights violations to the Delta.

Additionally, the discriminatory revenue allocation to the Niger Delta, founded on unequal laws, frequent use of State violence (arms wielded and used by the federal government in connivance with transnational mega-corporations engaged in oil production have deprived the Delta of its right to manage its own affairs and develop economically, socially and environmentally. This is one of the major reasons that have provoked the Niger Delta ethno-cultural nationalities to revolt against the federal government in form of insurgency⁶⁴. In this regard, ethno-cultural Nationalities of the Delta have engaged in rioting for fairness and justice since the 1960s and reached a high crescendo in the 2000s.

The Delta's people argued that for government to achieve peace, stability, and to neutralize ethnic revolt in the region, the resources of the Delta should be controlled by the Niger Delta people. Alternatively, adequate revenue should be given to the area to compensate for its contribution to the federal revenue and to compensate for the enormous burden of the "public bads" resulting from oil and natural gas production. The federal government responded to this demand by creating more states and local government areas, as a means of increasing accessibility of the oil gas-rich communities to more of the federal revenue. While reaffirming their wish to remain part of Nigeria, the Ogoni exploited provisions of the Africa Charter of Human and People's Right Article 20 (1). The latter states: all peoples shall have an imprescriptible and inalienable right to self-determination and freedom to ensure their economic and social development. The strength of this is a consistent demand by the Ogoni for political emancipation, that the Ogoni should enjoy good governance, the Ogoni should take charge of their resources for use by the Ogoni, for their own development⁶⁵.

Impunity by the elite led to violations of Nigeria's petroleum and mining laws as enshrined in the nation's independent and republican constitutions of 1960 and 1963 respectively, mandated the Federal government to pay 50 percent royalties to constituent regions where these money are generated. This sharing formula for the Niger Delta was reduced to lower level 20% in 1975 and later removed from the 1979 constitution. With this development, most regions, especially of the Delta,

64 R. Ingwe, *Amnesty for insurgents of Nigeria's Niger Delta region under the federal government system: unresolved environmental resource governance issues perpetuating the insurgency*. (Unpublished research paper), CRADLE, Calabar, 2011

65 MOSOP, 1992, p. 2; Mitee, 2007

were left with little or no resources for their socio-economic development, thus the quest for resource control⁶⁶.

Conclusion

We theoretically hypothesized that trafficking of persons from Nigeria's Niger Delta region to suffer the disadvantages of 'modern slavery' in the Global North is one of various forms of violations of human rights resulting from the marginalization policies implemented by two major government sectors (namely: traditional and modern) in Nigeria. The data and information presented in the foregoing sections persuade us to uphold these main hypotheses. We also accept the embedded minor proposition (hypothesis) that the marginalization occurs at multiple regional scales: beginning at the national level in form of federal government policies; they are adopted by governments at sub-national levels whereby the policy principles and strategies implemented by the federal government of Nigeria are complemented or supported by those enforced by supportive governments at the 36 states and 774 local councils and traditional ruling institutions. Specifically, this case study reveals how the nine state governments comprising the Niger Delta region have, like the rest of the 35 states adopted the marginalized principles thereby failed to implement policies that are different from others and capable of radically addressing the challenges posed by mass poverty and rather high degree of vulnerability of the majority in the Niger Delta region. Traditional gender insensitivity, degradation, and deprivation of some people's social and economic rights render such victims susceptible and vulnerable to human trafficking had earlier been reported⁶⁷. The perpetration of corruption by the elite causes the rather high level of poverty, which increases the vulnerability of women, girls, among other people to human trafficking in Nigeria. This has happened despite the country's reputation as one of the world's leading exporter of petroleum oil since the 1970s and more recently of natural gas. This study has demonstrated the incapability of governments to harness the huge natural and human resource potentials of the Niger Delta region into socio-economic and ecological prosperity. This situation has contributed towards increasing trafficking in persons in the region. The study demonstrates how centuries of perpetration of these international crimes against the Niger Delta peoples and land have taken place: from unequal trade, trans-Atlantic slavery, (neo) colonialism, neoliberalism, to post-independent indigenous misrule and spoliation, all have encouraged present-day trafficking in persons. Indigenous spoliation or misrule manifests in trans-national stealing of funds derived from extraction and export/sale of fossil fuel deposits in the Delta but pooled by/at the federal tier, shared inequitably to disfavour the "goose that lays the golden eggs" by applying policies of marginalization to emasculate the Delta. The implication of these findings for this policy includes: tackling human rights violations by Nigeria's federal

66 JI, Dibua, 'Citizenship and resource control in Nigeria: the case of minority communities in the Niger Delta', *Africa Spectrum*, vol. 39, no. 1, 2005, pp. 5-28; C, Bassey, & F, Akpan, 'The politics of resource control in Nigeria', *European Journal of Social Sciences*, vol. 27, no. 2, pp. 222-232; EO, Ojo, 'The politics of revenue allocation and resource control in Nigeria: implications for federal stability', *Federal Governance*, vol. 7, no. 2, 2010

67 RK, Obi et al, 2010; Tacoli & Mabala, 2010.

government and cultural groups/institutions, stopping transnational corruption/stealing of funds derived from the Delta to stash away in foreign bank accounts or to frequently invest within Nigeria and institutionalizing good governance in traditional and modern governments sectors.

Acknowledgements

We acknowledge the financial assistance provided by the Centre for Research and Action on Developing Locales, Regions and the Environment (CRADLE) to the research programme in Human Rights and Sustainable Development from which this article was produced. Thanks are due to an anonymous reviewer for valuable comments that assisted in improving the quality of this paper.

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