

## COMPLEX WEB OF COMMERCIAL SEX AND CHILD PROTECTION: A PHILOSOPHICAL CALL TO ACTION FOR NIGERIAN FEMALES

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### Abstract

*Across the globe, and on daily basis, children are confronted with various forms of violence, which the international community strives to address, albeit unsuccessfully. The sex industry is one of the non-oil industries that are booming in recent times especially in Nigeria. The industry has a lot of prospects in view of the fact that youths particularly the women aged 15-35 years who hardly find legitimate jobs engaged in transactional sex for money. Through a philosophical lens, it argues that the commodification of sexuality and the objectification of women's bodies perpetuate harmful gender stereotypes and patriarchal dominance. The vulnerability of middle-aged women to sex trafficking and exploitation is highlighted, and the cycle of harm perpetuated against their children is examined. A philosophical framework prioritizing empowerment, protection, and dignity is proposed to address these concerns. This paper examines the intricate relationships between commercial sex, child protection, and the exploitation of Nigerian females. The paper concludes with a call to action, urging policymakers, practitioners, and individuals to work together to create a safer and more just society for Nigerian females.*

**Keywords:** Human dignity, the right to work, Commercial sex workers, Protection.

### Introduction

Nigerian is faced with a complex web of issues surrounding commercial sex and child protection, with middle-aged women and children being exploited and harmed. Every child has the right to freedom from all forms of violence. This principle is not just common sense and basic morality, it is also an international legal obligation, as defined in the convention on the Rights of the Child of 2003, which is the world's most widely ratified human rights treaty. Poverty, inequality and commercial sex work (CSW) are inseparably linked, with most 'sellers' of sex being female and poor.<sup>1</sup> Historically, commercial sex work is as old as human beings; and is regarded as one of the oldest profession of mankind.<sup>2</sup> Sex work thrives in so many cultures and civilizations either secretly or openly depending on the limit such cultures permit. Over the years the perception in many societies such as those in Western and European Countries have changed about the practice, as the industry laws have been relaxed or amended to making commercial sex a recognized means of livelihood. Thus, Hughes (2004) observed that the legalization and recognition in some societies made sex-work as normal an occupation as any other societies an accepted profession of human endeavours.<sup>3</sup> This development has brought with it a change in its nomenclature from prostitution to a more appealing name - commercial sex work. In this light, sex work has now become an occupation especially for the girls in countries like Netherland, Brazil, and Norway. This is so as the profession serves as one of the sources of revenue for government as taxes are paid to the government by the practitioners.

In Nigeria, many people regard and choose certain occupations as work; such as teaching, farming, trading, fishing, (law) lawyer, and (medicine) doctor because it is honourable and rewarding etc. In view of this, regarding sex work as work requires critical assessment and re-examination of the avocation sociologically, and within labour and employment context. Commercial sex work in this context refers to the exchange of sexual intercourse for money or the commercialization of sexual intercourse as a direct result of the desire by some persons to offer themselves as object of sexual satisfaction and the readiness of others to patronize such services for some form of satisfaction. Put differently, transactional sex. The practitioners of this occupation are known with different parlance such as: Olosho, Ashawo, Okpeke, and Akpara in different Nigerian societies. They are also referred to in English nomenclatures as: Hookers, Call-girls, Harlots, Prostitutes, Sluts, Run-girls, Courtiers and Pimps.

Accordingly, it is a Gross violation of human rights of CSW for a state or region to criminalize or stigmatize commercial or transactional sex work.<sup>4</sup>

This paper delves into the philosophical underpinnings of these issues, arguing that a philosophical framework is essential to address the critical concerns and ensure the protection and empowerment of Nigerian females.

### **Legal Framework for Human Dignity and the Right to Work**

Dignity is synonymous with intrinsic value, that is, 'an absolute, priceless, unconditional worth'.<sup>5</sup> Human dignity therefore means 'human worth', and of course, no local or international law place a higher premium on the human dignity of one over the other,<sup>6</sup> or on men's over women's.<sup>7</sup> Many local, regional and international human rights instruments guarantee human dignity and the right to work, both, without discrimination, even though Mundlak contends that despite the frequent mention of the right to work in state constitutions and human rights documents, the implementation thereof is weak, almost non-existent, and rarely translated into practice.<sup>8</sup> Article 4 of the African Charter on Human and Peoples' Rights, 1981, state that 'Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.' Prominent UN Documents and human rights instruments,<sup>9</sup> particularly the Universal Declaration of Human Rights (UDHR) and the United Nations Charter guarantee the right to human dignity, equality and non-discrimination. Remarkably, none of these instruments impliedly or expressly place the right to dignity of CSWs or prostitutes, at the mercy of the state, society or media etc. With regards to the right to work, it is provided in a number of international human rights instruments.<sup>10</sup>

The right to work has three basic components. First is the liberty component, which includes references to the right to work as a liberty or as the freedom of occupation without governmental intrusion. Second, is the freedom to work and the guarantee against coerced work, namely, slavery. Thirdly, and at the heart of the right to work, is the right to have work and the corresponding duty of the State or of employers to provide work to individuals.<sup>11</sup> This third component is unarguably the most controversial aspect of the right to work, and the bane of its enjoyment. For instance, in Africa's most populous country, Nigeria, the right to work is a mere negative right and unenforceable as it is not listed as a constitutionally guaranteed Fundamental Rights,<sup>12</sup> but as part of the non-justiciable Fundamental Objectives and Directive Principles of State Policy.<sup>13</sup> Accordingly, no obligation is placed on the State or private employers to provide work or employment to persons who desire to work. With specific respect to the right to work of CSWs, and as earlier stated, the debate rages on between the human rights liberals and the conservatives, as to whether prostitution is to be appropriately recognized as a fundamental right or as a violation thereof.

### **Commercial Sex: The Motivating Factor**

Commercial sex is as old as the world itself. It is an age long practice which in modern times is now carried out in the open without shame. Some women have even glamorized the trade and some see it as a very lucrative business especially those that managed to travel out of the country to other climes where sex work is legalized. For many people, economic condition is a key factor to this trade. For instance, the Sydney Morning Herald (SMH) reported in 2013 that an increase number of people especially single mothers were turning to sex work and lap-dancing in Australia in order to make ends meet, due to cuts in parenting welfare payments (SMH, 2021). In other words, economic factor is the central motive constraining people to live in homes outside home.

Dworkin succinctly puts that, sex work serves as a motivating factor in getting money easily for up keeps.<sup>14</sup> Some have to pay for their rent, food and day care of their children. Others must pay for drug abuse, while others want an extra week's holiday abroad or elsewhere. As further observed by Dworkin (1981), prostitution frequently provides the “best” opportunity for easy money, when they need money for a date of night out, they obtain it within an hour through sexual transaction with a client. A 2015 study among sex workers in the UK found out that, one in 20 students were involved in sex work as students find themselves facing increased debt burdens by the time they graduate. Sex work then becomes a means of mitigating this issue and also as covering cost.<sup>15</sup> Other people choose sex work because it offers them economic opportunity. Sangar et al,<sup>16</sup> stated that sex work is seen as a form of labour which students' can exploit for material gain because of their attributes in terms of sexuality, looks, skills, personality and attitude. Kinsley, maintains that, since the economic means are distributed unequally between classes but female attractiveness is not, some women of lower economic means can exploit their attractiveness for economic gain.<sup>17</sup>

More so, people in other vulnerable or precarious situations such as drug or alcohol dependency, abusive relationships, homelessness, unemployment coming to terms with their sexual and gender identity may also engage in sex work for survival, experimental and/or lifestyle purposes (Sangar et al 2015). Kinsley (1976) noted that some women became sex workers because of sexual curiosity and 68 percent consider their line of work as part of their sexuality. Majority of women gave sexual curiosity as a reason for entering sex work while many had great interest in sex before becoming sex workers.

### **Illiteracy and Poverty**

With the high rate of illiteracy in Nigeria, many parents can neither read nor write. The youths are not left out in this illiteracy problem. This has resulted in their being deceived into believing that in big cities, milk and honey flows only to be forced into sex work when they get to city.<sup>18</sup> The first rationalization for the proliferation of prostitution has been poverty, especially if the lady comes from a poor background. Young ladies whose parents are incapable of taking care of their siblings tend to go into such venture (sex work) so as to make ends meet and take care of the family. Prostitution is largely motivated or caused by poverty. It is a state of inadequacy and want of copiousness. This was corroborated by Aloba and Ndifon who were of the view that, poverty is one of the major reasons that cause prostitution.<sup>19</sup> Marx also maintained that prostitution is caused by poverty, and therefore personal disorganization inherent in capitalism.<sup>20</sup> In a similar token, Lenski and Lenski contend that economic factors were closely and clearly the chief cause of its high incidence.<sup>21</sup> Poverty is the system that communizes and dehumanizes the bodies and person of women and children of both sexes for the use and profit of men.

To this effect Bierstedt,<sup>22</sup> found that, bad conditions drove many women into prostitution and sometime successfully tried to amend these conditions. The profession has been in many cases a transitory one. Many women, no doubt fall through vanity and idleness, love of dress, love of excitement. But by far the large proportion are driven to sex work by cruel biting poverty and unemployment opportunities. From this, it can also be deduced that idleness is a pointer to being lazy which virtually leads to poverty. And it is glaring that laziness can lead to prostitution that is seen as an easy business that generates fast money. Youths of now a day do not want to suffer to make a living and this is affecting the society. They see prostitution as a free business one can do without stress. Otengwo,<sup>23</sup> observed that many ladies turn themselves to prostitutes just for the sake of money and they have unaccountable ways of seducing those they perceived as rich people; meaning that most of the ladies today do not believe in the philosophy of hard work but rather prefer to sell themselves instead to get what they want.

### **Unemployment**

Unemployment has been identified as one of the reasons why most youths engage in sex work.<sup>24</sup> Due to lack of job opportunities for the multitude of graduates, most of them resort to sex work as a means of livelihood and survival. Onah,<sup>25</sup> noted that unemployment has pushed many young people into sex work and in most cases against their will.

### **Dimensions of Sex Work**

The proliferation of brothers and hotels for sex workers in most urban centres is not only noticeable but also the increasing number of sex workers rings in the continent is palpable.<sup>26</sup> It is so prominent that Nigerians refer to it as “Italian connection”, “Sex working” “Ashawo business” etc. Harcourt and Donovan (2005) undertook a review of 681 articles on prostitution from 1996-2004 to identify the dimensions of prostitution and the social context in which it occurs.

### **Implications of sex work and its impact on public policy**

#### **(a) The Legal implication**

There is a legal connection between any occupation and the laws in a country. In other words every occupational activity is carried out based on the limit which the laws permit. In Nigeria, sex work is considered an illegal occupational activity because the labour laws do not cover it. The Northern States of Nigeria that practiced Islamic Penal Code has made prostitution illegal. Equally, in Southern Nigeria, the law makes underage prostitution and the operation or ownership of brothels illegal under section 223, 224 and 225 of the Nigerian Criminal Code. It is important to state that the Nigeria law does not legalize commercial sex work and it is vague if such work is performed by an independent individual who operates on his or her own accord with the use of pimps or brothels (Nigerian Criminal Code). It is therefore illegal to operate or render services as a prostitute or in whatever guise as a commercial sex worker. This proviso has made law enforcement agents to undertake periodic search of brothels and hot spots suspected to carry out such economic activities. Punishments of the offenders are diverse, ranging from fines to imprisonment.

The Nigeria Criminal Justice Systems also prohibit national and transnational trafficking of women for commercial sex or forced labour. This has been on for some time now. Many Nigerian women and children have been taken abroad particularly to Libya and Italy with a promise of a decent work but ended up in prostitution camps. Nigeria is a signatory to the 2000 United Nations Protocol to prevent, suppress and punish trafficking in persons, especially women and children. Therefore, international prostitution is an offence, and a crime against humanity. Many countries of the world have adopted several strategies to control sex work, ranging from full to partial

criminalization and to full legalization. Argument in favour of legalization of sex work stems from the fact that criminalization makes sex workers vulnerable to various abuses due to their marginalized position and the ability to be prosecuted by the Police even if they come forward as a victim (Human Rights Watch, 2019). For instance, in Nigeria, groups of sex workers pressurized the Deputy Senate President (Dr. Ike Ekweremandu) to legalize sex work in the country. This yearning did not see the light of day in view of the legal implications associated with the trade. Particularly issues of human rights abuses and violation of human dignity. Arguably, many activities considered as work happens outside of individual body hence the legalization of sex work would lead to gross violation of women rights (rape and defilement), and other associated risk such as the spread of HIV/AIDs which the country is presently grappling with. In this wise, the country needs to include them in health insurance. Besides, since there is a nexus between sex work and criminality, legalization of the trade in Nigeria would have opened doors for armed robbery, drug peddling and abuse and eventual mental health challenges.

#### **(b) Sociological, Cultural and Psychological Implications.**

Society has a mind and a soul. The mind of the society is the subjective meanings which members express about a social fact. Social facts exist outside of individual but influences individual behaviour. This collective agreement and existence is the soul of society. Work is considered as a social phenomenon involving occupational roles of some sort. The occupational role specifies the superior- subordinate relationships as well as the incumbent's relationship with clients. Occupational roles serve as a means of social identity in which the question of “who I am” and “what I am” can be discerned. Everybody in the society is addressed based on his/her occupational status. Hardly any society, where sex workers can proudly lay claims to his/her profession and want to be addressed as a professional sex worker. This is so because despite its economic benefits, it offends the sensibility and collective conscience of the society. In the Nigerian context, not all economic activities are regarded as work including sex work.

In this light, major cultures in Nigeria frowns on those who carry out sex work activities in the open. Those who engaged in sex work are culturally seen as wayward and morally bankrupt; having no respect and addressed as deviants. No gain saying, culturally, no one would love to marry a sex worker as a wife. Psychologically, society disregards them as people with less self worth, low self esteem and lower self dignity. Because of this socio-cultural definition and poor public image of sex workers, they have resulted in several indulgences such as drug addiction, depression, and suicide.

#### **(c) The moral and religious implications**

Nigeria is a highly religious and spiritual people. Chastity and self control are the moral and cardinal principles of major religions in Nigeria. For instance Christian religion forbids adultery and fornication (Exodus 20: 14, 1 Corinth 3: 16 and 1 Corinth 5:1-13). The consequences of sex work are that it is sacrilegious, and God can not dwell in bodies that have been defiled. By implication, it leads to a break in relationship between the sex workers and God. The moral suggestion therefore is that, it is sin and the end result of sin is always dead. Legalizing sex trade in Nigeria would have faced serious criticisms from well meaningful religious leaders and organization and would have suffered defeat same way as the law wishing to introduced gay marriage into the country. Sex work and homo-sexuality are seriously frowned at by the two major religions in Nigeria.

#### **The Legal Framework for the Protection of the Child in Nigeria**

The legal framework and policy remedies for protection of children against sex trafficking and violence is stipulated in international, regional and national instruments which Nigeria

have signed and ratified. However, the legal framework for the protection of children against sex-trafficking and violence in Nigeria is weak, uncoordinated and not in line with Nigeria's obligations under the Child Rights Convention (UN Convention on the Rights of the Child 1989) and the African Charter on the Rights and welfare of the Child. Articles 4 of the CRC and Article 1 of the African Charter on the Rights and welfare of the Child respectively require states parties to undertake all appropriate legislatures, administrative and other measures for the implementation of the rights recognized in the conventions.

Despite the fact that Nigeria has domesticated the CRC in 2003, she has not yet modernized its legal framework for the protection of children due to a number of constraining factors. The first is a federal constitutional arrangement that does not situate issues concerning children within the legislative purview of the National Assembly, but with state legislatures; thereby making it difficult to establish an adequate legal framework applicable throughout the country. A second factor is the overbearing influence of cultural tradition, which fails to recognize the individuality of children beyond seeing them as gifts from God. Poverty, illiteracy and ignorance tend to perpetuate discriminatory practices in Nigeria's traditionally patriarchal society. In these conditions, it has proven difficult for Government to introduce laws, policies and programmes to uphold the rights of children. Consequently, the broad picture is one of nominal legal and policy provisions that lack uniformity or real impact. Actual practice is driven more by cultural sentiments than by constitutional, legal or institutional obligations.

### **Protection of Children under the Constitution**

The 1999 constitution as amended is the most important law providing protection for children, although the applicable provisions are indirect. Chapter II of the constitution, on the Fundamental Objectives and Directive Principles of State Policy, contains principles that are supposed to guide and direct the Nigerian state in the formulation and execution of policies. Several of these principles are important for child survival, development and protection. Another Section of the constitution espouses the ideals of freedom, equality, justice, human dignity and the sanctity of the human person, as well as the provision of adequate infrastructure for leisure, social, religious and cultural life, medical and health facilities for all persons, and protection for children and young persons from all exploitation and from moral and material neglect (Section 17, CFRN 1999). Section 17(3) guarantees equal pay for equal work and Section 13 enjoins all organs of Government and authorities to observe and apply the provisions under chapter II.

Unfortunately, these provisions that directly address the rights of children are non-justiciable and cannot be legally enforced in a court of law, because Section 6(6) of the constitution prevents the courts from looking into whether or not the Fundamental Objectives and Directive Principles of State Policy have been implemented. This is a lacuna in the constitution that needs to be addressed. It states:

The Judicial powers vested in accordance with the forgoing provisions of this section... shall not, except as otherwise provided by this constitution extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decision is in conformity with the Fundamental Objectives and Directive Principles of State Policy set out in Chapter II of this constitution” (The 1999 Constitution of the Federal Republic of Nigeria).

In the celebrated case of Archbishop Olubunmi Okogie v. Attorney General of Lagos State in 1981 (Nigerian Weekly Law Review, pt.200, 708, 1991), the court relied on Section 6 (6) and

held that the provisions of chapter II of the constitution are not an obligation on the Government. This has remained a major obstacle to judicial intervention to promote the rights of children. Nonetheless, item 60(a) of the Exclusive Legislative List does offer an avenue for the promotion and enforcement of the Fundamental Objectives and Directive Principles of State Policy. This item empowers the National Assembly to establish federal authorities with the specific purpose of promoting and enforcing observance of the Fundamental Objectives and Directive Principles, this has not yet been done in practice but offers an opportunity that should not be missed to promote and protect children's rights. It is suggested that there should be an insertion of specific provisions embodying the rights of children as has been done in Ethiopia, Ghana, South Africa and Uganda.

### **Protection of the Child from Sexual Abuse**

The Criminal Code<sup>15</sup> and Penal Code<sup>16</sup> are the major laws that deal with offences in Nigeria. The Criminal Code applies to the southern parts of the country while the Penal Code is applicable in the northern areas. The Criminal Code has many provisions dealing with the protection of children from sexual abuse in Nigeria. Section 222(a) of Criminal Code provides that it is an offence punishable with two years imprisonment for a person to encourage the unlawful carnal knowledge or prostitution of a girl under the age of 16 years of whom he is in charge of. Section 362 of Criminal Code provides that any person who unlawfully takes an unmarried girl under the age of 16 years out of the custody or protection of her father or mother and against their will is liable to imprisonment for two years. Other provisions relate to the offence of infanticide,<sup>17</sup> killing an unborn child,<sup>18</sup> concealing the birth of children,<sup>19</sup> and abortion,<sup>20</sup> among others. In 2015, the Nigerian Senate passed a Sexual Offences Bill which prescribes life imprisonment for rapists and those who have sexual intercourse with children under 11 years. It also makes provisions for a wider range of sexual offences such as gang rape, deliberately infecting partners with HIV and other diseases, child sex tourism, incest, indecent exposure, prostitution of persons with mental disabilities, among others. The Bill has however been criticized because of the age limit of the victims of defilements which was set as 11 years as opposed to the provisions of the Child Rights Act 2003, which defines a child to be someone who has not attained the age of 18 years

### **Trafficking in Persons (Prohibition, Law Enforcement and Administration) Act 2015**

Nigeria is the first country to enact law against human trafficking fashioned along the Palermo Protocol on Trafficking Persons especially Women and Children supplementing the Convention on Transnational and Organized Crimes in Vienna in July 2000 and signed in Palermo Italy in 2000. This is the Trafficking in Persons (Prohibition, Law Enforcement and Administration) Act 2003 as amended in 2005 and recently in 2015. The law establishes an enforcement agency known as the National Agency for the Prevention of Trafficking in Persons and Other Related Offenses (NAPTIP) and its mandate is as follows:

- i. To investigate and prosecute cases of trafficking in persons.
- ii. To take charge and co-ordinate rehabilitation and counseling of trafficked persons.
- iii. To create awareness of the ills of trafficking.
- iv. To set up shelter for rescued victims of trafficking.

However, the Agency has evolved new strategies to curb the evil act of trafficking in human persons and the strategies in the new law are as follows:

- (i) Removal of organs which was not in the old law has been included in the new law.
- (ii) There are elements of smuggling of migrants which were not in the old law but now in the new law.
- (iv) The new law allows the Agency to generate funds as part of the plan to fight human trafficking in the country.

(v) The new law empowered the Agency to confiscate assets and freeze accounts that were proceeds from human trafficking. A few other African countries have also enacted similar legislations. These are Kenya, Uganda, Djibouti, Gambia, Senegal, Sierra Leone and Ghana.<sup>27</sup> Some others have laws prohibiting child trafficking only (Togo, Mali, Burkina Faso and South Africa) and trafficking for sexual purposes only (Guinea and South Africa).

### **Protection by the Child Rights Act**

Protection of the Child under the Nigeria's Child Rights Act 2003 and UK Children's Act 2004  
The Nigerian Federal Government enacted the Child's Rights Act (CRA) in December 2003. This legislation was adopted to implement principles enshrined in international instruments, including the 1989 Convention on the Rights of the Child (CRC) and the 1990 African Union Charter on the Rights and Welfare of the Child (CRCW), which ratified in 1991 and 2000, respectively.<sup>28</sup> Having been enacted at the National level, the states are expected to formally adopt and domesticate such laws.<sup>29</sup> In furtherance of this view, it has been argued that the Child Rights Act is also aimed at boosting and extending the frontiers of existing legislations contained in different federal and state laws protecting the interest of Nigerian children.<sup>30</sup>

### **Legal Recommendations**

- i. Preventing and ending violence against children requires global effort on a very high level. This effort should include political leaders of nations, as well as ordinary citizens and children.
- ii. The promotion and protection of children's rights in Nigeria can be much enhanced through the application of item 60(a) of the Exclusive Legislative List which offers avenue for the promotion and enforcement of the Fundamental Objectives and Directive Principles of State Policy. And empowers the National Assembly to establish federal authorities with the specific purpose of promoting and enforcing observance of the Fundamental Objectives and Directive Principles.
- iii. The Child's Rights Act which has been domesticated in Nigeria at the federal level should be adopted in all states, without modification of the definition of a Child. There should be a harmonization of minimum age and definitions.
- iv. The Nigerian Constitution should be amended especially in respect of Section 17, which provides for social welfare policy which is not justiciable. It should be made justiciable, so that government can be serious in implementing the law.

### **Conclusion**

The complex issues surrounding commercial sex and child protection among Nigerian females require a philosophical framework that prioritizes empowerment, protection, and dignity. Strengthening laws and their enforcement is crucial to protect Nigerian females from exploitation and harm. Violation of the rights of children has adverse effects on the future of a child and this calls for urgent attention. has to be geared towards the problems that the children face in our societies. Nigeria would therefore need to learn one or two things from UK's practical response to the protection of children from abuse. This would definitely not be easy because UK is more advanced and has a more sophisticated and developed system of government.

However, much can still be achieved with the right amount of political will and a favourable disposition to children and their welfare. It is therefore recommended that laws which provide for the protection of the child should be amended for the purpose of making it more effective. Also, jail terms are not sufficient for adults who violate children because after they have served those terms, they will be released back to the community and often times, still pose a great risk to the children in the society. Thus, Nigeria needs to make statutory provisions for sex offender

treatments to prevent a re-occurrence of such crimes. The passage into Law of the Sexual Offences Bill in Nigeria will bring into effect some provisions which mandates dangerous offenders to be rehabilitated, provides a register for them and prevents them from taking up some jobs in Nigeria, which will be a great achievement. The government can engage in collaborative efforts with private organizations, healthcare providers and religious houses who can provide experts in related fields to help child sex offenders overcome their problems. A lot has been done over the years in Nigeria but more effort I urge policymakers, practitioners, and individuals to work together to create a safer, more just society for all.

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4. This proposition, however, contrasts with the preamble to the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, of 2 December 1949, wherein the States Parties recalled that prostitution is 'incompatible with the dignity and worth of the human person'. Consequently, the UN undertook to combat pimping in all its forms and to ensure assistance was provided to prostituted persons. The debate, however, rages on as to whether prostitution is a fundamental right or a violation thereof
5. See W Parent (2014). Book Review: Dignity: Its History and Meaning, written by Michael Rosen. Journal of Moral Philosophy, 11(3), 361-363, at 361, referring to the famous Kantian definition.
6. For instance, section 34 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) guarantee the right to human dignity thus: 'every person is entitled to the dignity of his/her person and no one shall be subjected to torture, inhuman or degrading treatment.' Its section 34(1) (a) guarantees the right to freedom from discrimination on whatever ground.
7. The Vienna Declaration of the UN World Conference on Human Rights, 1993 state that 'the human rights of women and of the girl-child are an inalienable, integral and indivisible part of human rights.
8. G Mundlak (2007). The right to work: Linking human rights and employment policy. International Labour Review, 146(3-4), 189-215.
9. They include relevant provisions of the Convention Against Torture and other Cruel Inhuman or Degrading Treatment or Punishment 1984, the International Covenant on Economic, Social and Cultural Rights (ICECSR) 1966, the Convention on the Rights of the Child (CRC) 1989, the International Covenant on Civil and Political Rights (ICCPR) 1966, Slavery Convention of 1926 as amended and Supplementary Convention on the Abolition of Slavery, Slave Trade, and Institutions and Practices Similar to Slavery.
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July 1964; ILO Recommendation No. 169 concerning Employment Policy, 26 June 1984; Charter of Fundamental Rights of the European Union, 7 December 2000; European Social Charter (revised), 3 May 1996.

11. Mundlak (n.8).
12. Chapter IV of the country's 1999 Constitution (as amended).
13. Chapter II thereof, wherein section 17(3) states inter alia, thus: 'The State shall direct its policy towards ensuring that- (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; (c) the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused; and (e) there is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever.'
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