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NIGERIAN ELECTION TRIBUNAL AND COURT PRACTICE OBIJIAKU, LO. ESQ.

1-5

DIRECTION 2007: LEGALITY VERSUS EXPEDIENCY THE NATIONAL MINIMUM WAGE ACT, 2011:

UWAKWE, F.C. ESQ 6-16

ANTITHETICAL TO TRUE FEDERALISM IN NIGERIA COPYRIGHT UNDER THE NIGERIAN COPYRIGHT LAW: AN ABDULMALIK, S.M. ESQ. 17-31 INCENTIVE TO INTELLECTUAL PROPERTY CREATION SUSTAINABLE DEVELOPMENT: THE ROLE OF

HAKEM VAIYA, PH.D 32-35

PRECAUTIONARY PRINCIPLE IN ADVANCING ISLAMIC BANKING IN NIGERIA CORPORATE GOVERNANCE AND THE ROLE OF

GBENGA ADERIBIGBE 36-45

EMPLOYEE CHAPTER IV OF THE CONSTITUTION OF THE FEDERAL MOHAMMED ETUDAIYE & 46-50 REPUBLIC OF NIGERIA 1999: EXCLUSIVELY A CONTRACT

MUHTAR ETUDAIYE,

Ph.D BETWEEN STATE AND CITIZEN? AN EXAMINATION OF TAX TREATMENT OF

BELLO, S.A, Ph.D &

51-58

COOPERATIVE SOCIETIES IN NIGERIA

OLUFEMI ABIFARIN, Ph.D

THE ABORTION ISSUE IN NIGERIA: MARGIN OF

GANIAT MOBOLAJI

59-65

APPRECIATION AND HUMAN RIGHT PRINCIPLE

OLATOKUN

CITIZENS' RIGHTS TO BASIC SOCIAL INFRASTRUCTURE IN TKENGA K.E.

66-76

NIGERIA TODAY: THE IMPERATIVE OF GENUINE

ORAEBGUNAM, Ph.D

ENFORCEMENT BIOTECHNOLOGY AND SCIENCE REGULATION. THE BIBOBRA BELLO

77-103

PROSPECTS AND CHALLENGES OF GMOS FOR NIGERIA

ORUBEBE, PH.D A

CRITICAL EXAMINATION OF THE ATTORNEY

AYOBAMI JOSHUA 104-108

GENERAL'S POWER OF NOLLE PROSEQUI UNDER THE NIGERIAN CONSTITUTION
DELOCALISATION OF ARBITRAL PROCEEDINGS AND *LEX* | KUDIRAT MAGAJI W. 109-114
ARBITRI: A SOJOURN INTO THE EQUILIBRIUM

OWOLABI CHALLENGES, PROBLEMS AND
PROSPECTS OF THE MOSES-OKE ROSELINE 115-128 POSTMODERNIST
JURISPRUDENCE MOVEMENT

OBADA & GASU
GIDEON

NYUIMBE LOCAL GOVERNMENT
ADMINISTRATION IN NIGERIA: AN RILWAN MAHMOUD & 129-1238 EVALUATION

OLAREWAJU TEMITAYO THE ROLE OF
TRADEMARKS (AND THE BRANDS THEY ANTHONIA OMOSEFE 139-144 SIGNIFY)
AS A DISTINCT FORM OF ECONOMIC ACTIVITY

UGOWE & HAMEENAT IN
THE GLOBAL ECONOMY

BUKOLA OJIBARA
NON INTERNATIONAL ARMED CONFLICTS IN
AMADE ROBERTS AMANA 145-151
INTERNATIONAL HUMANITARIAN LAW

& SOLOMON A. IENLANYE
DETERMINANTS OF FREE AND FAIR ELECTIONS IN A JOHNSON O. OLANIYI, 152-166 POLITY:
NIGERIA'S ELECTORAL EXPERIMENTS UNDER
Ph.D.

REVIEW

10

JUDICIAL REVIEW OF LEGISLATION IN NIGERIA A
AROWOLU. URA. CONSTITUTIONAL IMPERATIVE
AYODELE & ANVEN

OLASUNKANMI THE REALITY OF THE CONCEPT OF HOLDING LAND IN BARRISTER
RAUFO TRUST BY STATE GOVERNOR FOR THE USE AND
IBRAHIM ADIM LEK COMMON BENEFIT OF ALL NIGERIAN UNDER THE LAND
PH.D & ADAM A ADA USE ACT, 1978 CONSUMER PROTECTION IN
GHANA ANAPEPAISNI OE LYDIA A NKANSAN
S

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209-225

PRACTICE AND PROCEDURE FOR RECOVERY OF OLATOKE, J.O. Ph.D
PREMISES IN NIGERIA THE LAWS ON BIODIVERSITY CONSERVATION AND
IJAIYA BASHIR LEKE & POVERTY REDUCTION IN KWARA STATE, NIGERIA
ABDULRASAQ FUNSHO

FATIMAH REVISITING THE COMPLEMENTARY REGIME OF THE
COMPLEMENTARY REGIME OF THE JAMIU OLA ADEDOVIN INTERNATIONAL CRIMINAL
COURT THE ROLE OF

RAJI & LUKMAN ADEBIST AFRICAN STATES AND CHALLENGES
ABDULRAUF RIGHT TO FREEDOM OF SPEECH AND PUBUIC OFFICERS
GIMBA SHABA RIGHT AND LIMITATION TO SUE FOR DEFAMATION
ADEQUACY OF DAMAGES AS A REMEDY FOR BREACH MUYIWA OGUNSEYE OF
CONTRACT: AN OVERVIEW APPRAISING THE LEGAL ISSUES IN
MARITIME BUSINESS HASSANI. ADEBOWALE IN NIGERIA

241-250

251-257

**THE LAWS ON BIODIVERSITY CONSERVATION AND
POVERTY REDUCTION IN KWARA STATE, NIGERIA**

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Aug existence of mankind is marriere

ABSTRACT Biodiversity is essential for human existence and plays a crucial role in sustainable development and poverty reduction. It provides millions of people with variety of life with which survival and existence of mankind is guaranteed. The alarming rate at which biodiversity is being annihilated has exacerbated poverty in our society. Thus governments at both national and local levels have evolved legislations to check the incessant abuse on biodiversity which helps to secure food security and source of traditional and modern pharmaceuticals. Thus, this work principally examines the various legislations on biodiversity conservation and its effect on poverty reduction in Kwara State, Nigeria. The following are suggested as ways by which biodiversity can be conserved and consequently reduce poverty in Kwara State; provision of economic, social, political and psychological empowerment to improve the income of the poor, involvement of the people in the participation, design and formulation of policies and regulations on biodiversity. The enforcement of the law on biodiversity, recognizing the proprietary interest of individual such as above all, institutionalizing good governance and combating corruption

1.0.0: INTRODUCTION

Biological diversity otherwise referred to as biodiversity is essential for human existence and has a crucial role to play in sustainable development and the

alleviate poverty. Biodiversity provides millions of people with livelihoods, helps

food security, and is a rich source of both traditional medicines and industrial products. It is significant to note that biological diversity is essential for alleviating poverty and achieving the Millennium Development Goals. It also provides basic infrastructure which all life depends. Unless we stop the loss of biological resources we will

miss the Millennium Goals by the year 2015. The poor are the most likely to suffer from the consequences of ecosystem degradation, such as food, crop failures and loss of genetic resources.

The high rate of natural habitat destruction by the lukewarm attitude of the local national and national government. The lack of sound policies on sustainable development have caused serious assaults on the environment. A look at the majority of people reveals widespread assault on the environment due to lack of sound national policies to preserve, conserve and control our environment from further threat and exploitation. The consequence of, which here exacerbated the high rate of poverty. It is to be noted that despite the beauty and variety of life forms man is pushing species to extinction at an alarming rate through habitat destruction, over exploitation, human population growth and threat of global warming and intensification. Ironically, many economic activities which threaten the livelihood of humans to survive and maintain an average life have in the long run become

209

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Despite the fact that the number of species is increasing

of threatened species of replacement rate diverse become

causes of poverty in our modern society. It has been noted that there is unpiccanti extinctions of biodiversity. How fast are species being lost? Answers to TOT UN DOUT very exact most of what is being lost is still a inystery to human beings "The continual depletion of plant and animal species and the degradation of ecosysten stemming primarily from economic motives have become an important issue of growing global concern. Despite the unbridled rate of increase in the picture biodiversity globally, the rate of replacement has 110L been comiaens Intell ins. Th. **the number of threatened and endangered species is increasing.** Biodivcrsity as the economic and socio-cultural base of human systems, providing unquantifiable benefits to man and the environment including shelter, food, clothing, medicine, recreation, uti resources for industry, needs to be conserved and managed sustainable prese 2+ future generations.

Uncontrolled logging and tree selling are the order of the dam at puts of the southern states of Nigeria. This carries with it loss of precious biologicici diveeritz . v vildlife is rapidly declining me to habitat loss and DTS

PE R poachers, and bush burning. Annals that have recently disappear o MP3 the clietah, the pygmy hippopotamus, the girafic, the black rhinoceros, !! 11 girare eland. About 10-12 species of primates, including the white throated gucion spots in a primates and sclater's guenous, are under threat. Also an estimated 484 plan: Speck to 112 families are threatened with extinction because of habitat destruction and **deforestation!**

Some very interesting questions that need to be asked are do we need all the sppccics? Is there reason to be concerned about the loss o s dich ?) such a varicty of specics? Many respected experts insist that the user is . S endowment of species provides humans with food, useful chemicals, and ITTY OLC: products and services that Tacilitate reduction of poverty among the popolare Thun Baru about the potential benesits that undiscovered species may hold for mankind. For o ne, it had been estimated that 120 of the 150 prescription drugs used in United States come from natural compounds. Thus, in losing the flora of the worlds, mankind also loses the opportunity to **find new drugs and chemicals**

Sir Ghillean Prance,2 said

every time we lose a specics, we lose an option for the future..... We lose a potential cure for AIDS or a virus resistant crop. So we must somehow stop losing species, tot USA for the sake Tchi planet but for

We need natural ecosystems to provide essential services on which all living things depend. The production of oxygen, the purification of water, the filtering of pollutants and the prevention of soil erosion are all vital functions performed by the soil. Insects provide pollination services, frogs, fish and birds control pests. Mammals and the aquatic organisms cleanse our water supplies; plants and micro-organisms create healthy soils. The economic value of all these services is immense:

Despite our dependence on the diversity of life, however, climate change!

In the midst of extinction crisis that has threatened biodiversity and agriculture: At a time when we are beginning to understand the vital role of biodiversity, humans are causing more extinctions than ever before. This is done all in the best for your survival which though in the short run reduces poverty but will increase poverty in the long run as a result of total and mass extinction of natural resources to which we sustain the life of yet to be born generations. The question thus, is man, though, in a position to solve the problems? What have been reforms and policies adopted to halt the high rate of biodiversity extinction? What are the various ways in which humans are causing extinctions to biodiversity? What are the effects of the legal reforms of the courts and preservation of biodiversity on poverty reduction?

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Agenda 21- Nigeria Natural Resource Aspects of Sustainable Development in Nigeria (Report submitted to the

UNCED session of the United Nations Commission on Sustainable Development. 1997

Director of Kew Gardens in London (cited in Awah: see more 6 above)

210

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1.0: THE NATURE AND COMPONENTS OF BIODIVERSITY

Life on earth is abundant and commensely diverse. The **lani bola** diversity or biodiversity for short designates all the world's species ranging

from the smallest bacteria to the giant sequoias, from **cartu Singles** The variety of life on earth, its biological diversity is commonly referred to **OM** biodiversity. The **number of species of plants, animals, and microorganisms**, the **enormous** **les** diversity of **genes in these species**, the different ecosystems on the planet, such as deserts,

rainforests and **coral reefs** are all part of a biologically diverse earth.

Appropriate **konservation** and sustainable development strategies attempt to recognize this as being

is integral to any approach. Almost all cultures have in some way or form recognized the: **e s** importance that nature, and its biological diversity has had upon them and the need to **are** maintain it. Yet, power, greed and politics have affected the precarious **ladlaner**.

All this life on earth is part of one **grcal**, independent **wel** that also **m**

*** **living elements**. Life depends on non-living components such as earth's **Tospliurc**, **odati**. **urmaresh** water, rocks, and soils. This community of life is called biosphere and humans are

integral part of it.

Biodiversity embraces all the bacteria and other microbes. Many of the perform vital chemical functions that keep ecosystems operating. Biodiversity or the we of life also includes the green plants that produce oxygen through Photosynthesis, trapping solar energy and storing it in the form of sugars, which are the base of every force for a most other forms of life. It is very important that human brings and in 1 corner the natural world and that we gain peace and pleasure from being in it whenever we can.

Man is indeed part of the big picture. All creatures on earth have their place, according to their God given role. We share many things with the life forms around us above all, the miracles of life itself. For this reason, many people cannot help it feel powerful sense of loss when a life form vanishes. It is also important to note that I would agree that as a society we bear the ethical obligation to protect the habitability of our

planet, and to act as responsible stewards of its biological riches for the present and future welfare of the human species. Genetic diversity as a component of biodiversity refers to variability within and between populations of a particular species. Current genetic diversity has accumulated over long time spans and reflects past climates, population structure, ecological interactions and natural adaptation, as well as random events. Genetic diversity may allow an evolutionary response to environmental change. Diversity in wild populations of cultivated crops provides a genetic reservoir that can be used in engineering or breeding

new strains. For example, it tolerates different climatic or soil conditions, or confers resistance to pathogens and pests and once lost genetic diversity can be replaced only by the slow accumulation of new mutations,

Ecological diversity on the other hand considers spatial variation in the composition of species assemblages and in ecosystem processes. Ecological diversity may be measured at ascending scales: from local assemblages, through widespread communities, Ecosystems, to bio-geographical regions and biomes, although such a ranking is of fundamental importance in a holistic evaluation of biodiversity.

The earth is our mother. They say we are all created from the four elements, earth, air, water and fire. They are right literally. It is to be noted that we are the earth itself. We have been framing the whole environmental issue the wrong way. It's not that the 'environment is out there' while we are "over there" and we have to manage our interaction with the environment. We literally are the earth. We are the environment. We humans are air because the first thing a baby needs when it leaves its mother's body is a breath of air.

From that point on, we human beings need air 20-40 times a minute and land We are water because it is a fact that human beings are over 66 percent weight. We are basically big blobs of water with enough organic thickener so they do not dribble away on the floor. We are soil because

every bit of the food we eat was living. We are basically a compost heap for the carcasses of the plants and animals we consumed. We take them into our mouth and we make them into our bodies. Those organisms come from the earth, from the soil, we are the earth in a most direct way, and yet we use the soil as a garbage can.

Dolan, p Biodiversity and Ethics in O Riordan T (eds) Environmental Science for Environmental Management Exxox Pearson Edu Ltd 2000) 131

211

We are also here because every bit of the energy that allows us to grow, move and reproduce has come from the sun, via the chemical energy captured by plants. All the energy that we consume whether it's from hydro-electric sources or coal, gas or wood, has come from the sun. It is captured from the sunlight that we liberate again. It is crystal -clear from the above descriptions that biodiversity embraces all varieties that make life

meaningful and worthy of living for mankind, flora and fauna .

RE

1.1.0.1: THE VALUES, FUNCTIONS AND SERVICES OF BIODIVERSITY

Our material existence is dependent on the use of natural resources. The material values of biodiversity are immeasurable as it is safe to say that the existence of mankind depends on preservation of varieties of diversity. Earth's endowment of species provides human with food, useful chemicals and many other products and services. Think

too about the potential benefit that undiscovered species may hold for mankind. For example, it has been estimated that 120 of the top 150 prescription drugs used in the United States come from natural compounds. Thus in losing the flora of the world, mankind also loses the opportunity to find new drugs and chemicals

It has also been observed that exploring biodiversity will unlock in any benefits 1- through discovery of new genes and chemicals that can be used for drugs, to improve crops

or to restore polluted lands. More, importantly learning where new species are, their role in

maintaining healthy ecosystem and how we can conserve them is vital for making informed decisions about our land, rivers and oceans.

The importance of biodiversity can also be measured towards the development of tourism and protection of carbon sequestration watershed protection and option as well as species existence values. It is to be noted that although the specific benefits provided by any given ecosystem very substantially, they often contain a variety of economically useful products

that can serve as input for production processes. Diverse ecosystems also provide economically valuable services such as improving water availability for irrigated agricultural industry, or human consumption; reducing sedimentation in reservoirs and waterways; minimizing floods, landslides, coastal erosion and droughts, improving Water quality providing recreational opportunities; filtering excess nutrients; and providing

essential habitats for economically important species. Diverse ecosystems can contain genetic material that can help develop useful products such as pharmaceuticals and

improved crops. Moreover, many people value species and ecosystem for aesthetic moral or spiritual reasons, even if they do not use them. Many of the benefits of biodiversity accrue

to agriculture itself, and the term agro biodiversity has been coined to describe this important subset of biodiversity.

It is pertinent to note that although human management has often greatly modified natural ecosystem, agricultural activities still depends on many biological activities. The provision of genes for the development of improved crop varieties and livestock breeds is an important element, but far from the only one. Other includes crop pollination, soil fertility services provided by microorganisms, land pest control services provided by insects and wild life. Damage to biodiversity,

therefore, often has important implications for agriculture itself. At the same time, there is substantial potential to exploit biodiversity to enhance agriculture,

Biodiversity also occurs for the diversification of agricultural areas ensuring a variety of ecological services vital for food security, natural resource conservation, economic viability, climate amelioration, cultural preservation, and community empowerment.

Biodiversity also serves as an income generation for mankind especially farmers. A growing number of farmers in some developing countries produce milk in a small scale basis for market purposes. Also, farmers use many local trees and shrubs as traditional and cheap medicine for both humans and animals. For example farmers treat cows with the leaves of *Sesbania sesban*, *Vernonia amygdalina* and *Dodonaea angustifolia* to cure intestinal diseases like worms and diarrhea. Some trees and shrubs are reported useful in soil conservation and soil improvement; they provide firewood and medicines and have a wide range of other uses.

It is also important to note that farmers experience many benefits from biodiversity

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Diana W What Does the Future hold for Biodiversity'? (2001) Vol. 82 No 22 10 Awake, Watchtower Bible and Tract Society of New York Inc. Publication

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212

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Joseph Ayo Babalola University Law Journal, 10.12 No.1 2015

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h anagement in such a way that many of the natural vegetation is retained at least on the land covered by bunds. Also, together with the natural vegetation all forms of animals, insects worms reappear. In this way the natural ecological balance is brought back. This is

important for pest control during cultivation. It is also important to note that Ants collect weed seeds from the fields during the harvest period when farm fields are dry and store

their seeds on the bunds. This reduces the amount of potential germinable weed seed in the next cultivation seasons.

Furthermore, Predators like birds, owls, reptiles, and mongeese are attracted so that damage from crabs, rats, and also to some extent from insect pest is reduced. Also e important is the reduction in the carbon requirement to about eighteen to twenty. Man davs 2 per season and this brings down the cost of production, It has been observed that many traditional societies in the developing world still rely on natural or near-natural ecosystems to supply fuel/wood, meat, fruit, fish, medicine, fibres and building materials (consumptive use). Consumptive use is important but often substitutable. A consequence of the shift from consumptive lise of biodiversity for sustaining life to reliance on market economics is the separation of culture and communities from the land and from nature and a loss of human cultural diversity n In addition to consumptive use, further material resources are extracted or t harvested

commercially, often as the basis for industrial production such as fisheries, food and timber. Although this productive use of natural resources is important in global and local economies, only a small part of biodiversity is involved. Most of the global diversity of plant species currently has negligible commercial value in terms of productive use. The conservation and sustainable management of economically key species and resources may be important, but productive use does not provide an inclusive basis for biodiversity conservation..

Currently unexploited biodiversity and unexplored genetic resources may form the basis for new pharmaceutical drugs or crops. This option or opportunity value may provide a strong economic argument for conserving biodiversity that may have potential economic value or material benefits for society. Severe limitations in knowledge of organismal and genetic diversity provide a strong precautionary basis for retention of biodiversity that may have potential unexplored value.

Biodiversity may provide indirect but vitally important ecosystem services (non productive use) Examples include the regulation of pests through predator complexes,

pollination for commercial crops, regulation of soil fertility, nutrient cycling and food control, the capacity of the environment to assimilate waste, and the regulation of global climate through complex biogeochemical feedback mechanisms.

It has also been observed that biodiversity's functions and services may be divided into four broad classes. First, species may have commercial value in uses such as food, medicine, clothing, or tourism. This may sometimes be referred to as "use" or "utilitarian" value. Second, existence value represents the pleasure people derive from simply knowing that a species exists in the wild, even if representatives are never actually observed directly. This is a component of aesthetic value that, by definition, cannot be captured in tourism or other commercial measures; for this reason, it is sometimes referred to as "non-use" value.

Third, it is sometimes argued that if we allow biodiversity to deteriorate below (currently unknown) critically levels, then ecosystems may collapse, thus causing significant repercussions in other spheres. We refer to this as ecosystems value. I would believe that this value is important, then we should act to preserve species that may be important "keynotes" for their respective ecosystems.

Fourth, there is a moral argument, originating ultimately from religions and

philosophical convictions, that we have an ethical obligation to preserve species, notwithstanding any direct benefits to humans.

It is to be noted further that human communities worldwide have played a central role in shaping nature's diversity and its associated functions. Both natural processes and human management have generated and sustained a vast array of genetic, species and ecological diversity. Within agricultural systems this agricultural biodiversity fulfils a number of important roles such as providing food and livelihood security.

The dynamic and

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*Dolman P (See note 3 above)

Ibid 133 Andrew M & Martins L. W "Patterns of Belavival in Biodiversity Preservation Paper 9 1994 NO. 1358)

The World Bank Policy Research o
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213

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complex rural landscapes usually rely a plant and animal diversity.

Through different stages of domestication. Different types of agricultural biodiversity different people at

different times and in different places and so contribute strategies in a complex fashion. The livelihood strategies of many rural people regardless of whether their agro ecosystems are predominantly pastoral swindle or based on permanent cropping, often-incorporate wild resources, and high diversity. This helps to provide resilience in the face of adverse trends or shocks, and offers a greater choind of livelihoi options. It is important to note that, wild resources are particularly inportant for the fi ! and livelihood security of the rural poor, women and children, especially in tinies of stress such as draught, changing land and water availability or ecological change. These grou, generally havc less access to land, labor and capital and thus need in priva t diversity available.

Many wild resources have significant economic value by preventing the w in! cash expenditure and providing ready sources of cash to poor households, of 'n sielding 1 better income than local wage labour.

The cultural and spiritual values of some eleinents of agricultural i n sonietine's valued more highly than monetary values. Many rural communities descenza certain biodiversity rich areas of land or water as sacred. The spiritual values of places are often inextricably linked to the functions that their associated ! inny provide in maintaining the health of the cos'stem.

1.2.0: CONCEPTUALIZATION OF POVERTY, CAUSES AND CONSEQUENCES

1.2.0.1: CONCEPTUALIZATION OF POVERTY

Poverts antid plenty is the world's greatest challenge. Peony is on deprivation in well-being. To be poor is to be hungry, to lack shelter and closing, to be sick and not cared for, to be illiterate and not schooled. Many more than these are regarded as poverty for poor people. Poor people are particularly vulnerable to adverse cpisu their control. More often than not, they are discriminated against and treated inhumanly the State and society and denied many amenities necessary for a well-being of a nian. It is fact that poor people live without fundamental freedoms of action and choice that the better-ost take for granted. They often lack adequate lood and education, ralli Trio also deprivation that keeps them from leading the kind of life that everyone iues. This also lace extreme vulnerability to ill health, economic dislocation, and natural disustur Thiese just to mention sew are the dimensions of poverty

1.2.0.2: CAUSES OF POVERTY

The causes of poverty can be described under the theories of poverty 2. Tovuti); caused by individual desiciencies, poverty caused by cultural belief systems that support cultures of poverty and the poverty caused by economic, political and social dir discri niation, poverty caused by geographical disparities and poveri cu

cyclical interdependencies

Poverty Caused by Individual Deficiencies: - This first theory of poverty is in a multifaceted set of explanations that focus on the individual as man their poverty situation. Typically, politically conservative theorists, individuals in poverty for creating their own problems, and argue that with harder work and better choices the poor could have avoided (and now can remedy) their problems. Other variations of the individual theory of poverty ascribe to genetic qualities such as intelligence 1. . are of SOC Skrevel. **Poverty Caused by Cultural Belief System that Support Sub-Cultures of Poverty:** - The second theory of poverty roots its cause in the Culture of Poverty. This theory is sometimes linked with the individual theory of poverty theories to be introduced below, but it recently has become so well known that its special features should not be minimized. This theory suggests that poverty is created by the transmission over generations of a set of beliefs, values, and skills that are socially generated but individually held. Individuals are not necessarily blame because they are victims of their dysfunctional subculture or culture

Munich Institute for Environment & Development (HED: The Hidden Harvest: The Value of Wild
Wabunil System (1995) 25

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214

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Poverty Caused by Economic, Political, and Social Distortions or Discrimination: - Whereas the first "individualistic" theory of poverty is advocated by conservative thinkers and the second is a culturally liberal approach, the third to which we now turn is a progressive social theory. Theorists in this tradition look not to the individual as a source of poverty, but to the economic, political and social system which causes people to have limited opportunities and resources with which to achieve income and well being. Research and theories in this tradition attempt to redress the problem noted by Rank et al that "Poverty researchers have in effect focused on who loses out at the economic game, rather than addressing the fact that the game produces losers in the first place." **Poverty Caused by Geographical Disparities:** - Rural poverty, ghetto poverty, urban disinvestment, Southern poverty, third-world poverty, and other framings of the

problem represent a spatial characterization of poverty that exists separate from other theories. While these geographically based theories of poverty build on the other theories, this theory calls attention to the fact that people, institutions, and cultures in certain areas lack the objective resources needed to generate well being and income, and that they lack the power to claim redistribution. As Sham points out, "Space is not a backdrop for capitalism, but rather is restructured by it and contributes to the system's survival. The geography of poverty is a spatial expression of the capitalist system." **Poverty Caused by Cumulative and Cyclical Interdependencies:** - The previous four theories have demonstrated the complexity of the sources of poverty and the variety of strategies to address it. The final theory of poverty that will be discussed is by far the most complex and to some degree builds on components of each of the other theories in that it looks at the individual and their community as caught in a spiral of opportunity and problems, and that once problems dominate the close other opportunities and create a cumulative set of problems that make any effective response nearly impossible. 11 The cyclical explanation explicitly looks at individual situations and community resources as mutually dependent, with a faltering economy, for example, creating individuals who lack resources to participate in the economy, which makes economic survival even harder for the community since people pay fewer taxes.

1.2.0.3: CONSEQUENCES OF POVERTY

There is no gain saying the fact that poverty destroys aspirations, hope, and happiness. In Nigeria, as in other poverty-stricken nations, this is the poverty one can feel. Poverty affects tolerance of others, support of civil liberties and openness toward foreigners: it affects positive relationships with subordinates, self-esteem and sense of personal competence; it also affects one's disposition to participate in community affairs, interpersonal trust and self-satisfaction.

It has been noted that deprivation of elementary capabilities can be reflected on premature mortality, significant under nourishment (especially on children), persistent morbidity and illiteracy, among other problems. Life expectancy, literacy are correlated with the productivity and prosperity of a nation. As it relates to Nigeria and other poor: ridden African and Asian societies. high levels of poverty could lead to brain drain the emigration of many of the most highly educated workers to rich countries, where those workers can enjoy a higher standard of living. The poverty of a nation can also lead to human trafficking, prostitution and the spread of HIV/AIDS, child labour and abuse of human and civil rights. In addition, poverty leads to corruption.

disruption of family relations and social life, causes rising crime rate, among other vices.

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215

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20

and natural capital. A key sector of both economic and environmental concerns is the species of biological diversity found in Nigeria. Biodiversity provide many social, social, economic, and environmental benefits. Poverty reduction and biodiversity are both fundamental to the policy agendas os postcolonial States and international agencies.

In Nigeria, at present, the destruction of the natural resources is at the alarming rate resulting in the degradation and extinction of the country's biodiversity. For instance, the Nile crocodile, (*Crocodylus niloticus*) which was once found in the Nigcrian coasta waters right up to Lake Chad, is last disappearing due to loss of habitat and the hunting or crocodile for their meat, eggs, and hides by the poor. Also, in Southern Nigeria, the forest Elephant, Chimpanzee, Leopard, Yellow-backed duiker, the Royal python, the Nigeria guenon are among the animals on the endangered list. Thus. every year, a considerable part of the nation's biodiversity resources are destroyed through industrialization. commerce, agriculture and the activities of the rural dwellers who are predominant poor people, thereby disturbing the balance that nature maintains with the living and non-living resources. 21 It is not out of place to state that a large population of Nigerians resided work in rural areas.

These rural dwellers are a major contributor to biodiversity depletion. Agriculture is dominant in these areas. It has the greatest concentration of poverty, landless worker's, small tenant farmers, small farm owners, the rural unemployed, and the poor of the poor in the nation. As a result of the poverty level in these arcas,

biodiversity provides for about 90% of their needs, a fact which plays a major role in the destruction and depletion of native flora and fauna. One major way these rural dwellers affect the biosphere is through the use of firewood as the major source of household energy. 95 per cent of these dwellers use firewood as they cannot afford fossil fuel. The demand for firewood has recently increased since the removal of subsidy on oil products in Nigeria by the Federal Government. This resulted in a move by many more people to resort to the use of firewood gotten through tree felling produced by the rural poor

= The agriculture practices of peasant farmers bring further destruction to biodiversity. Slash and burn or shifting cultivation provides a basis for subsistence agriculture bringing about the burning of forests and bush, the depletion of nutrients and **organic matter** in the soil. This is inimical to the conservation of forests. The use of outdated equipment and low-yielding agricultural materials makes room for an over demand for land, resulting in more forest being cleared for planting crops and pasture.

Exploitation of the forest resources to generate income in order to survive has resulted in the hunting of wildlife on an enormous scale. It is very common in Nigeria to see wildlife (bush meat) being hawked on our roads in Nigeria and also being consumed by poor people who cannot afford to buy meat for consumption. Hunting, trapping and bush burning to smoke out rodents from burrows brings about further devastation to the forest, to nature's biological web. Small-scale forest-based enterprise such as the use of bamboo for making baskets, canes for making furniture all contribute their own quota to the destruction of the biosphere. Indeed most of the material required for making cooking utensils, musical instruments, weapons, implements for fishing and hunting, clothes, adornments and games all come from the forest. Construction and maintenance of household structures in the rural areas also place their demand on wood, bamboo and **grass**

The need for food-protein and other nutrients are mostly supplied through the forests. Many wild animals, fish, and birds are caught for protein. Children collect termite, .. snails, and caterpillars of several insects. They also collect ripe fruits, vegetables, mushrooms and different kinds of leaves from the forest in order to supplement their diet, while bees are smoked out of their hives for their honey. Also, the knowledge of many uses of flora and fauna in their environment are passed down over generations. The seed of the wild mango is very important delicacy for making sauces (Ogbono) in the Eastern and Western part of Nigeria. The baobab tree widely distributed through the savannah in Nigeria has several uses. The young leaves are used in sauces, the powdery pulp of the fruit capsules are

fermented to make beverages while the bark and rind are used for rope fibre and for fuel. Many plants gathered serve as additional

21 Nathaniel, I. Nathaniel. A The Effects of poverty in Conservation of Biodiversity Thu Nigeria Experience 2001) also available at <http://www.scienceinAfrica.co.za> 2001. nov nigeria.htm assessed on 22 11 3001 (Sciencein Africa

217

Joseph Ayo Babalola University Lagos 10 June 2015

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ce many of the natural material, is widely

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income. The leaves of (*Theumatococcus daniellii*) is widely sold and used in the region of the country as a wrapping material for food.

Furthermore many of the rural dwellers depend on plants for curing ailments since **many of them are poor and do not know any orthodox medicine** and have money to buy them.

Although hunting and gathering of animals and plants are necessary for survival, it is the unsustainable use of these resources that creates the problem of species' extinction as these are not replaced.

The foregoing fuelled by poverty, low levels of education and a weak knowledge of

- **conservation** the rural poor cannot appreciate the need for preserving our environment. The

same group depends on the environment for many of its needs thereby causing its depletion

- **and destruction**

Poor people depend on ecosystem services and these services are partially

- substitutable. For instance, limited amounts of clean air and water can be obtained from: mechanical filtration, and manufactured materials can be used in place of timber for housing construction. Declines in the supply of a service from a particular location, such as fisheries production, can be overcome through transferring demand to other areas where the service is still provided.

However, access to substitutes, and availability of options for the supply of services, depends critically on socioeconomic status. Poor people, with

restricted access to resources, and lower integration into cash

economy, are less able to substitute human and physical capital, and have less purchasing power, and are therefore particularly, and most directly, dependent on ecosystem services. It is observed that although poverty rates have been falling in all regions except Sub-Saharan Africa, more than 1.1 billion people remain in extreme poverty, and whilst the well-being of all people is dependent on ecosystem services.²²

Particularly important services on which poor people are dependent include the provision of food (both the components of biodiversity that are consumed, and the wide range of biodiversity that is crucial for food production); medicines and health (through both the supply of natural medicines, and through the regulation of infectious and emerging diseases); timber, fibres and fuel from forests and other sources; the regulation of fresh water quality and quantity; protection from (and regulation of) natural hazards; and cultural benefits of biodiversity. Supporting services on which these various benefits depend are also crucial, and in particular soil formation, pollination, nutrient cycling, and control of agricultural pests and diseases. Although the urban poor are buffered against changes in some ecosystem services, through access to alternatives such as improved water supplies, they are nonetheless also dependent on the full ecosystem services for their well-being, etc. The relationship between poverty reduction and biodiversity conservation can also be described under the population density. Areas of high population density generally have remaining only small pockets of biodiversity, but often that biodiversity is particularly rich. In these population density areas, frequently the forces of development have worked to reduce poverty, which, in turn, opens opportunities for in-migration from the low population density areas. The migration to high-density areas also makes it less expensive to create biodiversity reserves in the low population density areas and, subsequently, more expensive to create reserves in the high population density areas. – High rural population densities are usually associated with highly productive agricultural resources, as these resources provide the means of support for greater numbers of people. Not only are these areas the most productive initially, they are also generally respond best to the opportunities of globalization and new biological technologies. They are areas in which the costs are low per person or per family for providing the physical infrastructure (consisting of road, electrification, and water supplies) because of the large numbers of people per unit area.

Thus, these are the areas where incomes are likely to risk most quickly.

Not surprisingly, areas of highly productive agricultural resources, particularly in : the tropics, contain much greater biodiversity than areas of poorer or more arid resources. However, the areas tend to have, at best, small parcels of undisturbed lands, which are under severe threat as agricultural technologies and globalization increase land productivity

"Neville, A & Martins **'Biodiversity and Poverty Reduction: The Importance of Biodiversity for Ecosystem Services** (Being the Report Produced by the United Nations Environment Programme World Conservation Monitoring Centre - UNEP-WCMC 2006) : Vogel, C. «No Easy **Answers for Biodiversity in Africa**' (2001) Vol. 291 Science

218

*Josezii Ayodhloss University Law Journal 16
(310/2015)*

Prevalent-fold. With globalization, land values in areas of highly productive resources increase

substantially, more funds are spent on rapidly improving agricultural productivity, and the remaining small tracts of virgin land in those areas are quickly developed.

. In the high population density areas, the total economic benefits and the proportion of people benefiting from reserves are seemingly small compared to those that benefit directly from agricultural growth. In this situation, external funding is required to protect or the reserves and to enlarge their size. Poverty reduction efforts increase the acceptability of such funds because the preserve is to be enlarged in the context of rising incomes of the

On the other hand, the remaining large, high-biodiversity areas are located on relatively low-productivity resource bases, with low population densities. The agriculture in those areas responds only modestly to breakthroughs in agricultural and biological science. These areas are also not only deficient in physical infrastructure that facilitates specialization, but their low population densities also result in higher per family and per worker infrastructure-provision costs than in high population density rural areas. Therefore, the economics of providing infrastructure to these low-density areas are not favourable. Development and intensification of other areas will tend to draw population away from these low population density lands, and will, consequently, reduce the values and decrease the costs of enlarging and protecting those areas.

The implication of this will be growing population and subsequent increasing poverty press for exploitation of limited resources to make marginal improvements in living standards. As a result of this, the impact on biodiversity is likely to be devastating. Partly because the population density is low and partly because the potentials for intensification

agriculture are severely limited, the benefits from activities complementary to preserving biodiversity can be attractive for a substantial portion of the population. Community participation and engagement, in the context of well-understood community and individual property rights, will be important tools for facilitating those benefits.

1.3.0: BIODIVERSITY LAWS IN NIGERIA

Biodiversity is the variability of life, and encompasses diversity at all levels of organization from the genetic through populations, species, ecosystems and landscapes,

However, it is most clearly manifested in the variety of different kinds of organisms and habitats in the world. It is the variety of organisms, interacting with the physical landscape that creates the range and diversity of ecosystems. At global level, biodiversity is very unevenly distributed, that is, some parts of the world are far more biologically diverse than others. The pattern is complex but by no means random. The most important overall trend, manifest in terrestrial, freshwater and shallow water marine systems, is for species diversity to increase from the Polar Regions to the equator. This is because in general, warmer areas are more diverse than colder areas. On land there is also a general trend for areas with more rainfall to be more diverse than drier ones. Geographical variations in diversity are very marked, there are, for example, differences of two or three orders of magnitude in the diversity of, for example, tree species in forests between arctic latitudes and equatorial ones.

.. Nigeria is a diverse country with many different natural habitats, including savannas, tropical forests, wetlands, lakes, rivers, and coastal areas. Rainfall is heaviest along the coast and in the southeast, leading to the development of rainforest in this region. By contrast, the northern part of Nigeria receives much less rain and includes increasingly drier vegetation zones the further north one goes. Three different highland areas are found in Nigeria: the Yoruba highlands in the west, the Jos plateau in the center of the country, and the mountains bordering Cameroon in the east. This diversity of landscapes and climatic conditions results in a corresponding diversity in the plants and animals found here.

However, it is to be noted that despite the beauty and variety of life-forms, man is pushing species to extinction at an alarming rate through habitat destruction, introduced

species, over-exploitation, human population, threat of global warming, bush burning. By deforestation and desertification and agricultural intensification. Most of the human activities which tend to provide means of livelihood to humans to survive and maintain an average life have in the long run become causes of poverty in our modern society". There is an incessant attack on biodiversity which of course has directly or indirectly affects the not

219

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only the economic well being of the nation but also to an individual.

Thus, the precautionary principle is adopted by the Nigerian government through various legislations enacted to regulated biodiversity conscrvation. Principal among which, in the Constitution of the Federal Republic of Nigeria²⁴, the National Environmental Siandards and Regulation Enforcement Agency Act²⁵, National Effluent Limitation Reyulations: National Environment Protection (Pollution Abatement in Industries and facilities Producing Waste) Regulations²⁷, Federal Solid Hazardous Waste Management Regulations,

Environmental Impact Assessment (EIA) Act, The Nigerian urban Recht Planning Act³⁰, Hydrocarbon Oil Reliveries Act, the Endangered Species ACL, Sa Fisheries Act³³, Convention on Biological Diversity ³⁴.

There are in existence in Kwara State, Nigeria presently Bush. Buning Conin! Law³⁵, Charcoal Production (Prohibitica) Law³⁶, Environmental Sanitation Law ! Forestry Law³⁸ to regulate biodiversity conservation in Kwara State..

These legislations by the various provisions created a strict regime setting out regulations that make protection, preservation and conservation mandatory by all users or environment. In addition, governinent as well as the user of biodiversite is changed with responsibility of providing adequate mesures to curb and arcst any unperlig ihiatry biodiversity. It also required that

a principle of restoration and regeneration and adapted in order to sustain biodiversity from extinction

It is interesting to note that notwithstanding the acceptability of this principle in Nigeria and the subsequent adoption of same through various legislations, the threat and assault on biodiversity is still on the alarming rate. This has been traced to both the activities of the government on one hand and that of the governed on the other hand.

The government on its part has not been able to do much for its citizens in terms of

Sections 20, 33, and 34 of the 1999 Constitution of the Federal Republic of Nigeria; which makes it an objective of the Nigerian State to preserve and protect the air, water, forest and wildlife in Nigeria as well as a guarantee of fundamental human rights and dignity. The latter having been linked to the need for a healthy and safe environment to give the right of life. Section 7 of the NESRCA Act 2007 which provides that authority must ensure compliance with environmental standards, on environmental sanitation and pollution prevention and control through monitoring and regulatory measures

Section (1) which requires industry facilities to have anti-pollution equipment for the treatment of effluent

Sections 4 and 5 of the Regulations (1991) require industries to report a discharge if it occurs and to submit a comprehensive list of chemicals used for production to the agency

Section 1 and 20 of the Regulations (1991) which make it an obligation for industries to identify solid hazardous wastes which are dangerous to public health and the environment and to research into the possibility of their recycling as well as to

make notification of any discharge to the Agency. Section 2 (1) & (4) of the Act Cap E12

Laws of the Federation of Nigeria 2004 which require an Environmental Impact Assessment for all private projects likely to have significant (negative) impact on the environment and also provide for a Regulatory Agency before embarking on projects for their environmental assessment to determine approval

Section 72 of the Act Cap N138 Laws of the Federation of Nigeria 2004 provides that the preservation and planting of trees is an environmental conservation

Section of the Act Cap 115. Laws of the Federation of Nigeria 2004 which provides for that polluters must pay for pollution prevention facilities

Section 7 of the Act, Cap E9, Laws of the Federation of Nigeria 2004 which provides for regulations to be made for environmental prevention and control as regards the

purposes of this Act. Section 14 (2) of the Act, Cap S4, Laws of the Federation of Nigeria 2004 which provides authority to make for the protection and preservation of

fisheries. Article 31 of the Convention on Biological Diversity 1992 which provides that each Contracting Party shall establish a system of protected areas where special measures are to be taken to conserve biological diversity. The conservation of ecosystems and natural habitats and the maintenance and recovery of viable population of species in their natural surroundings

where they have developed Geir distinctive properties are made paramount importance to the preservation of biological diversity Thursoventually spur ! Federal Government to enact legislations on ini-5 Conservation such as the National Park Service Dunk c V Las the Federation of Nigeria, the Decree having been linked similar to Anneler of the CONVORU Buluynal Diversity 1992

Scotions and 8 of the Law Cap B6 Laws of the Kwara State of Nigeria 2010; These sections provide for prohibition of busi: burning without permitand the power of the Governor lo ban bush burning in specilied areas "Sutions of the Charcoal Law. Cap CS Laws of the Kwara State of Niyern 2010. The section prohibits the burning p ay e of wood and that all licenses and permits granted to any person or body of persons before the enactment of the law p uce charcoal in any part of the Stale is hereby revoked

Serions 13,38, 39, 48, 49, 58, 59, 60, 61, 62, 63, 64, 65 and 66 of the Law Cap E4 Laws of the Kwan State o Nigeria 2010 The past the provisions of these sections is to the effect that the Agency shall power to carry on all environmental pole ill lities to enhance the achievement of the objectives of the Agency Prohibitions of seres ol acusties dature mome nt: VRV nemt are also provided so as to cusure adequate protection of the environment resulung from huokuu UES Sed 1.32, 33, 34 and 36 of the Law Cap F5 Laws of the Kwara State of Nigeria 2010 provide inter alia for the power ostalim ure to be known and called protected forests as well as the power to control und manage the forests for the purpose of povedang sume lion human activities

220

Joseph Ayo Babalola University Lant Jounia 20/2
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provision of basic essential amenities for their liv liliowd which conservation of biodiversity. For instance, the activity of the laumans through ligging and . tree selling is inajorly responsible for the rate of poverty. Man needs biodiversity species either to earn a living or for consumption purposes. The government as a maticr of good governance is expected to provide means of alleviating poverty as well as sus tan kerosenc which of course will give the poor easy access to kerosenc and reduce logging and tree felling which is the predominant way of assault on biodiversity in Kwara State in particular and Nigeria as a whole

Also, it is also observed that there is lack of awareness on the need to maintain healthy environment as well as to protect and conserve same. A lot of people are not really aware of the legislations on environment and the penalty attached therelo. So, biodiversity is assaulted and degraded with impunity

Furthermore, the applicability of the principle is handicapped based on the laiilure on the part of the government to involve local people in the law making process.

It is not out of place to state that substantial biodiversity species are located in the rural areas and it is the responsibility of the government, if biodiversity conservation is to be achieved to involve the local people with whom the species predominate to be carried along whichever legislations on environment are to be enacted. This of course will go a long way to co-opt their inputs into the law for effective compliance

1.4.0: CONCLUSION

It is apparent from the foregoing that most of the geographic ordus betrech. biodiversity and poverty, no matter which variables was used, found that there is an important overlap between extreme poverty and key areas of global biodiversity. The World's least developed countries are located in tropical hotspots and wilderness areas, cupcufullt in: Sub-Saharan Africa, the Caribbean, and the South Asia. These are the areas where current trends of poverty are increasing due to economic crisis and where the transformation of the ecosystems is more dramatic leading to more pronounce descent in the population or species. The highly density of poor people is found in highly human transformed area, however the strongest poverty occurs in remote forest or wild areas where people are right dependent on biodiversity as in the selected Local Government Councils of kwara State, Nigeria.

It is imperative to note that several efforts have been made to control and conserve biodiversity in Nigeria. These include enactment of various legislations relating to environment at international level which of course Nigeria is a signatory to vide the provision of the 1999 Constitution³⁹. There are also various national enactments and legislations made by the Federal and State Government respectively. Despite these, the assault on biodiversity continues. Also, efforts aimed at reducing poverty in Nigeria include the establishment of various establishments inter alia National Directorate of Employment (NDE), National Poverty Eradication Program (NAPEP). Yet the alarming rate at which poverty is biting Nigerian citizens is at the alarming rate.

Therefore the relationship between biodiversity conservation and its effects it poverty reduction in Nigeria and more particularly in kwara State through law illustrates the fundamental role of the government at various levels as well as the participation of the community people. The government at various levels is saddled with the responsibility to legislate on relevant laws to preserve and conserve biodiversity from further extinction and also to provide basic needs for the people in order to

compliment the law. Biodiversity are basic needs of the people with which the survival of the humans depends and to conserve same through law, efforts is geared towards providing incentives for the poor to comply with the legislations to biodiversity conservation. Significant, legend: of Kwara State also took a giant step in 2010 not only to enact laws to regulate some biodiversity components but also enact law to reduce poverty. There are in existence in Kwara State, Nigeria presently Bush Burning (Control) Law¹⁰. Charcoal production (Prohibition) Law¹¹, Environmental Sanitation Law and Forestry Law ¹²

"Section 12 of the 1999 Constitution of the Federal Republic of Nigeria"Section 3 and § Cap B6 Laws of the Kwara State of Nigeria 2010 "Section 8 Cap CS Laws of the Kwara State of Nigeria 2010 Sections 13, 38, 39, 49, 58, 59 and 60 Cap E4 Laws of the Kwara State of Nigeria 2010 * Section 31, 32, 33, 34 and 36 Cap FS Laws of the Kwara State of Nigeria 2010

221

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Journal 132*

/2015

biodiversity conservation and Kwara State Community-Based Poverty Reduction Project Law⁴. These legislations in no small way have contributed immensely to the control and preservation of biodiversity and reduction of poverty respectively

Thus, the evolution of the various legislations at international, national and local levels to regulate biodiversity conservation cannot be under-estimated. This is because, law being a potent weapon with which policies can be achieved and implemented has tremendously played significant roles in ensuring preservation and conservation of biodiversity as well as reduction of poverty in Nigeria in general and Kwara State in particular. A number of important multilateral environmental agreements are directly concerned with or have implications for biodiversity. The most important of these is the Convention on Biological Diversity (CBD). Others include United Nations Framework Convention on Climate Change (UNFCCC), the United Nations Convention to Combat Desertification (UNCCD), the Ramsar Convention on Wetlands, the Convention on International Trade in Endangered Species (CITES) and the Convention on Migratory Species (CMS). Parties to these various conventions are bound by obligations under these agreements. Nigeria is a party to, and a signatory to most of these treaties

Beside law, there are also various reforms and policies at international, national and local levels that have been put in place to conserve biodiversity which same are also aimed at reducing poverty. These policies and reforms have in no small way contributed immensely

to the preservation of biodiversity and also assisted in the reduction of poverty in Kwara State, Nigeria. The Biological Diversity Convention (CBD) of 1992 as well as the subsequent Conventions on the subject matter has also been very encouraging in the preservation of biodiversity. The Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD) 1996 published a set of seven poverty focused targets to reduce poverty; which was repackaged in 2000 as the Millennium Development Goals (MDGs) resulting in an unprecedented level of international commitment to poverty reduction. The preamble of the CBD recognizes that economic and social development and poverty reduction are the first and overriding priorities of developing countries⁴⁵ In 2002, it also adopted a target 'to achieve by 2010 a significant reduction of the current rate of biodiversity loss at the global, regional and national level as a contribution to poverty alleviation and to the benefit of all life on earth. The OECD has collectively identified poverty alleviation as one of the Millennium Development Goals. Ambitious, hopeful targets have been set to redress one of the most vexing problems of our time, and the United Nations General Assembly called on 18th September 2000 for a halving of the number of people living in extreme poverty by 2015. The Millennium Development Goals on the other hand fulfill the same overarching function for poverty reduction efforts. Goal 7 includes a target to reverse the loss of environmental resources' one indicator of which is the area of land under protection for biodiversity. The effects of those Conventions to preserve biodiversity has provided for responsibilities of member States to provide essential incentives for their citizens to reducing poverty and to safeguard biodiversity from continuing extinction. In Nigeria, the government has played a significant role through the National Biodiversity Strategy and Action Plan (NBSAP) and this has been effective and efficient in sensitizing populace of the need to conserve biodiversity. Loxarvis poverty reduction

It is also significant to note that the role of the international and national organizations in the control and preservation of biodiversity as it relates to poverty reduction is overwhelming. There are various NGOs that are in the vanguard of propagating the need to preserve biodiversity from extinction and also playing significant role to ensure reduction of poverty in Nigeria. It brings some comfort to know that some Governmental Agencies and Non-Governmental Agencies like the Nigerian Conservation Foundation (NCF), the National Environmental Standards and Regulations Agency (NESREA), Nigerian Environmental Action/Study Team (NEST), Bio-resources Development and Conservation Programme (BDGP), Savanna Conservation Nigeria, Center for Environmental Resources and Sustainable Ecosystems (CERASE), Delta Environmental Network, Niger-Delta Wetlands Center, NGOs Coalition for Environment, the National

Resources Council (NARECO) in collaboration with the United Nations Environmental Programme (UNEP) and

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* Section 8 Cap Kil Laws of the Kwara State
Nigeria 2010

"United Nations: The Convention on Biological Diversity (1993) <http://www.cbd.int/doc/legal/chd-un.pdf> accessed 13.7.2012

22

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