

Nigeria

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Nigeria became a member of ILO-IPEC in August 2000. The government is currently participating in a USDOL funded ILO-IPEC regional project to eliminate trafficking and in a national program funded in 1999. Working in concert with ILO-IPEC, the government established a National Steering Committee that includes representatives from the government, labor, industry groups, and NGOs. The committee is responsible for developing and overseeing implementation of a national plan of action on child labor. In addition, Nigerian Federal Office of Statistics (FOS) and the Federal Ministry of Employment, Labor, and Productivity (FMELP) are carrying out a national child labor survey with funding from the USDOL and technical assistance from ILO-IPEC's SIMPOC.¹⁸⁴²

Nigeria also participates in an ILO-IPEC regional project funded by the USDOL to combat the trafficking of children for labor exploitation in West and Central Africa, and a national plan of action to combat trafficking has been developed by the Federal Ministry of Women's Affairs and Youth Development with support from ILO-IPEC and UNICEF.¹⁸⁴³ In 1999, the Government established a police anti-trafficking task force that has helped repatriate over 400 women and girls who have been trafficked during the past two years.¹⁸⁴⁴ UNICEF has also established a series of programs for street children in Nigeria and launched a collaborative project with the ILO Regional Office specifically targeting *almajirai* children,¹⁸⁴⁵ and UNESCO funded a study on street children in 1995 that was implemented by a local Nigerian NGO.¹⁸⁴⁶

¹⁸⁴² ILO-IPEC, *National Program on Elimination of Child Labour in Nigeria*, Report No. 3, July-September 2001 (Geneva, September 6, 2001) [hereinafter *National Program on Elimination of Child Labour*]. See also ILO-IPEC, *National Program on the Elimination of Child Labor in Nigeria* (Geneva, 1999) [hereinafter *Elimination of Child Labor in Nigeria*], 2.

¹⁸⁴³ The first phase of the regional project involved an assessment of the trafficking problem in nine African countries, including Nigeria. In July 2001, a second phase of this project began that focuses on direct action to assist children who are victims of trafficking. The second phase will also seek to raise awareness, strengthen local capacity to address the problem, and enhance regional cooperation to address trafficking. See ILO-IPEC, "Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (Phase II)" (Geneva, 2000), 3-4.

¹⁸⁴⁴ U.S. Department of State, *Trafficking in Persons Report*, July 2001, Nigeria [hereinafter *Trafficking in Persons Report*], at 62.

¹⁸⁴⁵ *Elimination of Child Labour in Nigeria*. In the north, *almajirai* is term for child beggars.

¹⁸⁴⁶ UNESCO, *Education for All: Year 2000 Assessment, Country Reports-Nigeria* at <http://www2.unesco.org/wef/countryreports/nigeria/contents.html>, [hereinafter *Education for All: Year 2000 Assessment*].

The government's new basic education plan, entitled "Universal Basic Education," aims to improve the relevance, efficiency, and quality of schools and to create programs to address the basic education needs of nomadic and out-of-school children, youth and adults.¹⁸⁴⁷ In addition, the Federal Ministry of Women's Affairs and Social Welfare has worked in collaboration with UNICEF and the Centre for Non-Formal Education and Training on a non-formal education curriculum for girls, children without access to schools, and school dropouts.¹⁸⁴⁸

Incidence and Nature of Child Labor

In 1999, the ILO estimated 24.2 percent of children between the ages of 10 and 14 in Nigeria were working.¹⁸⁴⁹ Children work predominantly in the informal economy.¹⁸⁵⁰ In cottage industries and small, industrial workshops, children work as apprentices in various crafts such as weaving, tailoring, catering, hairdressing, and auto repair.¹⁸⁵¹ In rural areas, children are found working on family farms.¹⁸⁵² Children are commonly employed as domestic servants, and in urban areas and towns, children work in markets, bus stations and roadside businesses.¹⁸⁵³ In northern areas, children known as *almajirai* survive on the street by begging.¹⁸⁵⁴

Nigeria is a source, transit, and destination country for trafficked persons, including children.¹⁸⁵⁵ Children as young as 7 years of age are smuggled from town to town, to neighboring African countries, as well as to Western Europe and the Middle East, and forced to work on commercial farms, in restaurants, or as prostitutes or street vendors.¹⁸⁵⁶

¹⁸⁴⁷ *Elimination of Child Labour in Nigeria*.

¹⁸⁴⁸ These efforts have contributed to an increase in enrollment, particularly among girls, and enhanced opportunities for non-formal and nomadic education. In a pilot project in Sokoto state in northern Nigeria, enrollment in basic education rose from 914 pupils in 1996 to 115,525 pupils in 2000, of which 73,291 had passed their exams. The project recorded a less than 0.2 percent dropout rate. Fewer girls drop out than boys. See *Elimination of Child Labour in Nigeria* at 3.

¹⁸⁴⁹ World Bank, *World Development Indicators 2001* (Washington, D.C., World Bank, 2001) [CD-ROM].

¹⁸⁵⁰ Children are seldom employed by state-owned commercial agriculture farms, and official U.S. Government visits to formal industrial settings in Lagos and Kano have not revealed the use of child labor in manufacturing establishments, including textile plants, tanneries, and sawmills. See U.S. Embassy-Lagos, unclassified telegram 2617, August 2000 [hereinafter unclassified telegram 2617]. See also U.S. Embassy-Lagos, unclassified telegram no. 3774, April 1995 [hereinafter unclassified telegram 3774].

¹⁸⁵¹ *Elimination of Child Labor in Nigeria*, 2.

¹⁸⁵² Unclassified telegram 2617.

¹⁸⁵³ *Country Reports on Human Rights Practices for 2000—Nigeria* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 6d, at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid=700>. See also unclassified telegram 2617.

¹⁸⁵⁴ In 1996, it was reported that in Lagos alone there were 100,000 boys and girls living and working on the streets. See *Elimination of Child Labor in Nigeria*. See also *Child Welfare League of Nigeria: Alternative Report on the Implementation of CRC*, submission to the CRC, September-October 1996, as cited in *The Worst Forms of Child Labor: Country-wise Data* (New Delhi: The Global March Against Child Labour, October 2000).

¹⁸⁵⁵ *Trafficking in Persons Report*, 62.

¹⁸⁵⁶ Nigerians are trafficked to countries such as Gabon, Cameroon, Equatorial Guinea, Benin, the

The Constitution calls for the Government, “when practical” to provide free, compulsory and universal primary education.¹⁸⁵⁷ In September 1999, the President of Nigeria launched a new basic education plan making the first nine years of schooling free and compulsory.¹⁸⁵⁸ Nonetheless, compulsory education is rarely provided, particularly in the north of the country.¹⁸⁵⁹ In 1996, the gross primary enrollment rate was 70.3 percent, with 65.1 percent of girls and 75.4 percent of boys enrolled.¹⁸⁶⁰ A traditional bias exists among parents and families against girls’ education, particularly in rural and northern areas.¹⁸⁶¹ This bias is more pronounced in rural areas. It is estimated that only 42 percent of rural girls are enrolled in school.¹⁸⁶²

Child Labor Laws and Enforcement

The Nigerian Labor Act establishes 12 years as the minimum age for employment and apprenticeships, except in the case of light agricultural or domestic work performed for the family.¹⁸⁶³ It also prohibits children under 12 years from lifting or carrying any load likely to cause physical injury, and establishes a minimum age of 15 years for industrial work and employment aboard a vessel.¹⁸⁶⁴ In addition, according to the Labor Act, children under 16 years may not work underground, on machines, at night, or for more than four consecutive hours or eight hours in any one-day period.¹⁸⁶⁵ The Labor Act prohibits young people from any employment that is dangerous or immoral.¹⁸⁶⁶ The law does not apply to domestic service, and separate provisions for domestic

Netherlands, the Czech Republic, Spain, France, Italy, and countries in the Middle East. See Peter O. Ebigo, “Child Trafficking in Nigeria: The State of the Art,” Country Study (ILO-IPEC, April 2000), 10-12. See also *Trafficking in Person Report* at 62 and BBC News, “Trafficking Nightmare for Nigerian Children,” January 10, 2001.

¹⁸⁵⁷ *Country Reports 2000*, at Section 5.

¹⁸⁵⁸ *Education for All: Year 2000 Assessment*. See also IPEC Summary of Individual Country Programs, Nigeria (Geneva: ILO/IPEC, 2001).

¹⁸⁵⁹ *Country Reports 2000*, at Section 5.

¹⁸⁶⁰ *Education for All: Year 2000 Assessment*.

¹⁸⁶¹ *Country Reports 2000*, at Section 5.

¹⁸⁶² *Country Reports 2000*, at Section 5.

¹⁸⁶³ Nigeria Labour Act, Articles 49, 59a, in NATLEX database at www.natlex.ilo.org/txt/ on 11/14/01 [hereinafter Labour Act].

¹⁸⁶⁴ Labour Act at Articles 59, 59b, 61.

¹⁸⁶⁵ *Ibid.* at Articles 59, 60.

¹⁸⁶⁶ *Ibid.* at Article 59. See also Criminal Code Act, Articles 22A, 223, as cited in the Protection Project Database at www.protectionproject.org on 3/19/02. The Criminal Code Act establishes a penalty of two

servants are determined by the Ministry of Labor and Productivity.¹⁸⁶⁷ Forced labor is prohibited by the Labor Act and the Nigerian Constitution.¹⁸⁶⁸

The Ministry of Labor and Productivity's Inspections Department is responsible for enforcing legal provisions relating to conditions of work and protection of workers. However, there are fewer than 50 inspectors, and inspections are only conducted in the formal business sector.¹⁸⁶⁹ Nigeria has not ratified ILO Convention 138 or ILO Convention 182.¹⁸⁷⁰

years imprisonment for both causing or encouraging the prostitution of a girl under 16 years of age and procuring a girl under 18 years of age for sexual relations.

¹⁸⁶⁷ Ibid. at Article 65, which states that the minister may make regulations providing for the “engagement, repatriation or supervision of domestic servants,” as well as “the employment of women and young persons as domestic servants.”

¹⁸⁶⁸ Ibid. at Article 73. *See also* Constitution of the Federal Republic of Nigeria, Article 34, 1999.

¹⁸⁶⁹ *Country Reports 2000*, at Section 6d.

¹⁸⁷⁰ ILO, ILOLEX database: Nigeria at <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.

NOTE: Hard copies of all Web citations are on file.