

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

The Government of Nigeria became a member of ILO-IPEC in 2000.³²³⁹ The government participated in the implementation of a USDOL-funded ILO-IPEC national program to eliminate child labor³²⁴⁰ and in a USDOL-funded ILO-IPEC regional project to combat the trafficking of children.³²⁴¹ The Nigerian Federal Office of Statistics is completing a USDOL-funded national child labor survey with technical assistance from ILO-IPEC.³²⁴² The government is participating in a program funded by USDOL and the Cocoa Global Issues Group that will seek to withdraw children from hazardous work in the cocoa sector, provide income generation and economic alternatives, and promote education.³²⁴³

The Federal Ministry of Women Affairs and Youth Development has developed a National Plan of Action on child trafficking, and exploitation³²⁴⁴ and, as a member state of the Economic Community of West African States adopted a regional Plan of Action against trafficking in Human Beings in December 2001.³²⁴⁵ In addition, the USAID-supported Sustainable Tree Crops Program is incorporating elements into its program and is coordinating with the USDOL-funded ILO-IPEC program to address child labor in cocoa sector.³²⁴⁶ In July 2002, the International Institute of Tropical Agriculture and national research collaborators completed a study of child labor in the cocoa industry in Cameroon, Côte d'Ivoire, Ghana, and Nigeria.³²⁴⁷ The Government of Nigeria is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime to strengthen anti-trafficking efforts. The UN Office is providing technical assistance in areas such as research, law enforcement training, and the creation of regional anti-trafficking networks.³²⁴⁸ The government supports school-based child rights clubs, and, through the human trafficking unit of the Nigerian Immigration Service, also sponsors information campaigns on trafficking.³²⁴⁹ With involvement of the government, UN agencies, and civil societies, IOM is leading an awareness-raising project against trafficking.³²⁵⁰

³²³⁹ ILO-IPEC, *All About IPEC: Programme Countries*, [online] August 13, 2001 [cited June 25, 2003]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm. Working with ILO-IPEC, the government established a National Steering Committee on child labor in 2000. See ILO-IPEC, *National Programme on the Elimination of Child Labour in Nigeria*, NIR/99/05/060, Geneva, November 1999.

³²⁴⁰ ILO-IPEC, *National Programme on the Elimination of Child Labour*.

³²⁴¹ The project began in 1999 and is currently in its second phase. See ILO-IPEC, *Combating the trafficking of children for labour exploitation in West & Central Africa (Phase II)*, RAF/01/P53/USA, Geneva, March 2001.

³²⁴² ILO-IPEC, *Statistical Programme for Advocacy on the Elimination of Child Labour and the Protection of Working Children in Nigeria*, technical progress report, Geneva, March 17, 2003.

³²⁴³ ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP)*, project document, RAF/02/P50/USA, Geneva, September 2002, 1.

³²⁴⁴ Federal Ministry of Women Affairs and Youth Development, *National Report on Follow-up to the World Summit for Children*, Abuja, December 2000; available from http://www.unicef.org/specialsession/how_country/edu_nigeria_en.pdf [hard copy on file], 17

³²⁴⁵ UN Office on Drugs and Crime, *Pilot Projects*, [online] [cited July 2, 2003]; available from http://www.odccp.org/odccp/trafficking_projects.html. See also Economic Community of West African States, *ECOWAS Initial Plan of Action against Trafficking in Persons (2002 - 2003)*, ECOWAS, Dakar, December 2001; available from http://www.unodc.org/pdf/crime/trafficking/Minimum_Plano_CEDEAO.pdf.

³²⁴⁶ ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Programme*, project document, 8 and 12. See also USAID, *Trafficking in Persons: USAID's Response*, September 2001, 4.

³²⁴⁷ The study was conducted with support from USAID, USDOL, World Cocoa Foundation, the ILO, and the participating West African governments, and was carried out under the framework of the Sustainable Tree Crops Program. See International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa*, 2002.

³²⁴⁸ The project is supported with funds from Canada, France and Norway. See UN Office on Drugs and Crime, *Pilot Projects*.

³²⁴⁹ U.S. Department of State, *Trafficking in Persons Report- 2003: Nigeria*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21276.htm#nigeria>.

³²⁵⁰ Integrated Regional Information Networks, "Nigeria: Anti-trafficking campaign targets Edo, Lagos", IRINnews.org, [online], September 20, 2002 [cited June 12, 2003]; available from http://www.irinnews.org/report.asp?ReportID=30007&SelectRegion=West_Africa&SelectCountry=NIGERIA.

In July 2003, UNICEF announced its intention to cooperate with the government to ensure equal access to education for girls.³²⁵¹ UNICEF also works to improve enrollment and retention in primary school by focusing on improved teaching and learning practices.³²⁵² In September 2002, the Government of Nigeria was approved to receive USD 101 million in funding from the World Bank to support the Universal Basic Education Project, which will improve the quality of schools, work to increase access to education, and strengthen the management and planning of the education system.³²⁵³ The World Bank continues to support the Second Primary Education Project, approved in May 2000, to improve the quality of primary education and provide teacher training, improve educational environment by setting up focus schools, improve quality and availability of curriculum materials, and develop an information base for decision making.³²⁵⁴ USAID supports teacher training, community participation and policy planning on schooling in three states (Lagos, Kano, and Nasarawa), as well as youth skills development for unemployed youth in Delta, Lagos, and Kano. USAID has also supported the government's Education Baseline survey, which was completed in 2002.³²⁵⁵

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 23.5 percent of children ages 10 to 14 years in Nigeria were working.³²⁵⁶ Most children work in agriculture, usually on family farms, in fishing, and as cattle herders.³²⁵⁷ Children also work on commercial farms.³²⁵⁸ Within the non-agricultural informal sector, children work in domestic service and in public markets and streets as hawkers, vendors, stall minders, beggars, car washers, scavengers, shoe shine boys, bus conductors, and head-loaders.³²⁵⁹ Children work in cottage industries as mechanics, metal workers, carpenters, tailors, weavers, barbers, and hairdressers.³²⁶⁰ Child begging is especially widespread in northern Nigeria.³²⁶¹

³²⁵¹ Ahiane Andrew, *Nigeria, UNICEF Launch Girls' Education Program*, [online] 2003 [cited July 24, 2003]; available from www.thisdayonline.com [hard copy on file].

³²⁵² UNICEF, *UNICEF: At a glance: Nigeria - the big picture*, [online] July 24, 2003 [cited July 24, 2003]; available from <http://www.unicef.org/infobycountry/nigeria.html>.

³²⁵³ Up to 16 states have been invited to participate as pilots in the project. See World Bank, *Universal Basic Education Project*, [online] June 4, 2003 [cited November 21, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P071494>.

³²⁵⁴ The Bank is providing USD 55 million to the endeavor, which is scheduled to close in December 2004. See World Bank, *Nigeria: Primary Education II*, [online] June 4, 2003 [cited June 6, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P066571>.

³²⁵⁵ USAID, *FY2002 Annual Report Performance Narrative*, Washington, DC, July 1, 2002; available from http://www.dec.org/pdf_docs/PDA.PDF [hard copy on file].

³²⁵⁶ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Nigeria*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18220.htm>. The actual numbers of children in exploitative or hazardous work are unknown, due to the wide dispersion of child workers, their extensive employment in the unmonitored informal sector and in agriculture, and the limited data. A study in 1999 estimated a lower limit of 8 million child workers. See Anthony Hodges, *Children's and Women's Rights in Nigeria: A Wake-up Call, Situation Assessment and Analysis 2001* (Lagos: UNICEF and the Nigeria National Planning Commission, 2001), 204.

³²⁵⁷ Hodges, *Children's and Women's Rights in Nigeria*, 204.

³²⁵⁸ *Ibid.*

³²⁵⁹ U.S. Department of State, *Country Reports- 2002: Nigeria*, Section 6d. See also Hodges, *Children's and Women's Rights in Nigeria*, 204. Some children from poorer families are accepted into families as domestic helpers, where they may be exploited. See ECPAT International, *Nigeria*, in ECPAT International, [database online] 2002 [cited June 6, 2003]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

³²⁶⁰ Hodges, *Children's and Women's Rights in Nigeria*, 205.

³²⁶¹ As poverty increases in Nigeria, the *almajiranci* system of semi-formal Koranic education has come to rely on child pupils engaging in begging to support their *mallam*, or Islamic teacher. UNICEF Nigeria reports that the Nigerian government has done little to address the problem of child begging. See *Ibid.*, 209.

Commercial sexual exploitation of children is common in many cities in Nigeria.³²⁶² Nigeria is a source, transit, and destination country for trafficking in children.³²⁶³ Children from Benin and other African countries are trafficked to Nigeria, where some are forced to work as domestic workers, prostitutes³²⁶⁴ or in other forced labor conditions.³²⁶⁵ Children are trafficked from Nigeria for domestic labor to West and Central Africa, and are trafficked internally.³²⁶⁶ Girls are sometimes sold into marriage.³²⁶⁷

Education in Nigeria is compulsory for 9 years.³²⁶⁸ In 1996, the gross primary enrollment rate was 81.9 percent.³²⁶⁹ In 1999, the net primary attendance rate was 55 percent.³²⁷⁰ Girls are particularly affected by lack of access to education, and families often direct their girls into work, such as domestic activities or street vending, if unable to send them to school.³²⁷¹

Child Labor Laws and Enforcement

The Labor Act sets the minimum age at 12 years for employment and apprenticeships, except for light agricultural or domestic work performed for the family.³²⁷² The law prohibits children under 12 years from lifting or carrying any load likely to inhibit physical development, and establishes a minimum age of 15 years for industrial work and maritime employment.³²⁷³ The law prohibits children under 16 years from working underground, on machines, at night, more than 4 consecutive hours, or more than 8 hours a day.³²⁷⁴ The law also prohibits children under 18 years from any employment that is dangerous or immoral.³²⁷⁵ The law does not apply to domestic service.³²⁷⁶ In July 2003, a comprehensive anti-trafficking law, the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, was passed, which established a national agency to enforce the Act and coordinate counter-trafficking work. Section 11 of the Act stipulates life prison terms for any persons who traffic children into or out of Nigeria. The Act also provides for prison terms for any persons who procure, either for themselves or others, any children under the age of 18, or for any persons who commit children in their care under age 18 to prostitution or

³²⁶² Ibid., 209–10. The average age of commercial sex workers is reportedly 16 years. See ECPAT International, *Nigeria*.

³²⁶³ U.S. Department of State, *Trafficking in Persons Report: Nigeria*. See also ILO-IPEC, *Combating the trafficking of children for labour exploitation in West & Central Africa (Phase I)*, RAF/01/P53/USA, Geneva, July 1999, 2.

³²⁶⁴ ILO-IPEC, *Combating the trafficking of children in West & Central Africa (Phase I)*, 1.

³²⁶⁵ U.S. Department of State, *Trafficking in Persons Report: Nigeria*.

³²⁶⁶ Ibid. There have been allegations of women and children trafficked to Europe. See U.S. Department of State, *Country Reports- 2002: Nigeria*, Section 6f.

³²⁶⁷ See also U.S. Department of State, *Country Reports- 2002: Nigeria*, Section 5.

³²⁶⁸ UNESCO, *Education for All 2000 Assessment: Country Reports-Nigeria*, prepared by Federal Ministry of Education, pursuant to UN General Assembly Resolution 52/84, 2000; available from http://www2.unesco.org/wef/countryreports/nigeria/rapport_3.html.

³²⁶⁹ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

³²⁷⁰ Hodges, *Children's and Women's Rights in Nigeria*, 146.

³²⁷¹ U.S. Department of State, *Country Reports- 2002: Nigeria*, Section 5.

³²⁷² *Nigeria Labour Act*, Articles 49 and 59 available from <http://natlex.ilo.org/scripts/natlexcgi.exe>.

³²⁷³ Ibid., Articles 59 and 61.

³²⁷⁴ Ibid., Articles 59 and 60.

³²⁷⁵ Ibid., Article 59.

³²⁷⁶ Ibid., Articles 59 and 65.

indecent assault.³²⁷⁷ Eleven states afflicted by trafficking have now dedicated anti-trafficking police units. Authorities document numerous government attempts to apprehend and prosecute traffickers.

The Ministry of Employment, Labor and Productivity is responsible for enforcing legal provisions regarding work conditions and protection of workers. However, there are few labor inspectors, and inspections are conducted only in the formal business sector where there are few occurrences of child labor.³²⁷⁸ Enforcement provisions have not deterred violations. As of November 2002, no recent child labor inspections had resulted in fines, penalties, or convictions.³²⁷⁹ Investigations of child trafficking are hampered by corruption among government officials.³²⁸⁰

The Government of Nigeria ratified ILO Convention 138 and ILO Convention 182 on October 2, 2002.³²⁸¹

³²⁷⁷ The Act also prohibits forced labor, trafficking in slaves, pornography, drug trafficking, or forced or compulsory recruitment into armed conflict. The Act applies to all residents of Nigeria, and to Nigerians who are convicted outside of Nigeria for trafficking-related offenses. It also provides for the rights of victims of trafficking, including the right to access health and social services while a temporary resident, protection of identity, and the right to press charges against the trafficker. See *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*, (July 2003), Sections 11-19, 21, 25-26, 36-38. See U.S. Department of State, *Trafficking in Persons Report: Nigeria*.

³²⁷⁸ U.S. Department of State, *Country Reports- 2002: Nigeria*, Section 6d. A recent attempt to prosecute an alleged child trafficker failed when witnesses to attest to the identities of 15 allegedly trafficked children failed to appear. See also U.S. Embassy- Abuja, *unclassified telegram no. 2976*, November 2002.

³²⁷⁹ U.S. Embassy- Abuja, *unclassified telegram no. 2976*.

³²⁸⁰ U.S. Department of State, *Country Reports- 2002: Nigeria*, Section 6f.

³²⁸¹ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited June 4, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.