

# Nigeria

## Incidence and Nature of Child Labor

The ILO estimated that 23.2 percent of children in Nigeria ages 10 to 14 years were working in 2002.<sup>2990</sup> Most children work in agriculture, usually on family farms, in fishing, and as cattle herders. Children also work on commercial farms.<sup>2991</sup> In urban areas, children work as domestic servants, street hawkers, vendors, beggars, scavengers, shoe shiners, car washers/watchers, and bus conductors.<sup>2992</sup> Children also work in cottage industries as mechanics, metal workers, carpenters, tailors, weavers, caterers, barbers, and hairdressers.<sup>2993</sup> Child begging is especially widespread in northern Nigeria and southern urban centers.<sup>2994</sup>

Commercial sexual exploitation of children occurs in many cities in Nigeria.<sup>2995</sup> The country is a source, transit, and destination country for trafficked children.<sup>2996</sup> Children from Benin and other African countries are trafficked to Nigeria, where some are forced to work as domestic workers, prostitutes,<sup>2997</sup> or in other forced labor conditions.<sup>2998</sup> Nigerian children are trafficked internally and to West and Central Africa for domestic labor and street hawking, and to Europe for commercial sexual exploitation.<sup>2999</sup> Girls are sometimes sold into marriage.<sup>3000</sup>

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<sup>2990</sup> World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

<sup>2991</sup> 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.

<sup>2992</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Nigeria*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27743.htm>. See also Hodges, *Children's and Women's Rights in Nigeria*, 204. Children from poorer families are hired by families as domestic helpers, where they may be exploited. See ECPAT International, *Nigeria*, in ECPAT International, [database online] 2002 [cited June 4, 2004]; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/index.asp](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp).

<sup>2993</sup> Hodges, *Children's and Women's Rights in Nigeria*, 205.

<sup>2994</sup> 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. It is reported that the Nigerian government has done little to address the problem of child begging. See *Ibid.*, 209.

<sup>2995</sup> *Ibid.*, 209-10. An NGO has reported that the average age of commercial sex workers is reportedly 16 years. See ECPAT International, *Nigeria*.

<sup>2996</sup> U.S. Department of State, *Trafficking in Persons Report- 2004: Nigeria*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33188.htm>. See also ILO-IPEC, *Combating the trafficking of children for labour exploitation in West & Central Africa (Phase I)*, project document, RAF/01/P53/USA, Geneva, July 1999, 2.

<sup>2997</sup> ILO-IPEC, *Combating the trafficking of children in West & Central Africa (Phase I)*, 1.

<sup>2998</sup> U.S. Department of State, *Trafficking in Persons Report- 2004: Nigeria*.

<sup>2999</sup> *Ibid.* Child trafficking routes have been identified from Nigerian children to the Middle East and East Africa for labor exploitation. See U.S. Department of State, *Country Reports- 2003: Nigeria*, Section 6f.

<sup>3000</sup> U.S. Department of State, *Country Reports- 2003: Nigeria*, Section 5.

Nigerian law calls for universal basic education throughout the country; however, authorities do not consistently enforce laws on compulsory education.<sup>3001</sup> Education in Nigeria is compulsory for 9 years.<sup>3002</sup> In 2001, the gross primary enrollment rate was 96.5 percent, with 85.6 percent of females enrolled compared to 107.0 percent of males.<sup>3003</sup> Net enrollment rates are unavailable for Nigeria. Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Nigeria. Access to education is hindered by the costs of books, transportation, and uniforms.<sup>3004</sup> Girls are particularly affected by lack of access to education. If families are unable to send their female children to school, girls are often required to work as domestics or street vendors.<sup>3005</sup>

## Child Labor Laws and Enforcement

The Labor Act sets the minimum age for employment at 15 years, except for light agricultural or domestic work performed for the family,<sup>3006</sup> and 13 years for apprenticeships.<sup>3007</sup> The law prohibits children 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.<sup>3008</sup> Children under 16 years are prohibited from working underground, on machines, at night, in employment that is dangerous or immoral, for more than 4 consecutive hours, or more than 8 hours a day.<sup>3009</sup> The law does not specifically criminalize child domestic service, although it provides for regulations to be mandated by the Minister.<sup>3010</sup>

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 investigate and prosecute offenders of the Act and provide for victim rehabilitation. Section 11 of the Act stipulates life imprisonment for any persons who traffic children under 18 years into or out of Nigeria. The Act also stipulates prison terms for any persons who procure, either for themselves or others, any children under

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<sup>3001</sup> Ibid. Authorities do not effectively enforce laws on compulsory education. See U.S. Consulate-Lagos, *unclassified telegram no. 1914*, September 2004.

<sup>3002</sup> 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](http://www2.unesco.org/wef/countryreports/nigeria/rapport_3.html). See also British Council, *Nigeria: Country education profile*, [online] [cited June 2, 2004]; available from <http://www2.britishcouncil.org/home/learning/globalschools/globalschools-partnership/globalschools-resources-countries/globalschools-resources-countries-nigeria.htm>.

<sup>3003</sup> World Bank, *World Development Indicators 2004*.

<sup>3004</sup> U.S. Consulate- Lagos, *unclassified telegram no. 1914*.

<sup>3005</sup> U.S. Department of State, *Country Reports- 2003: Nigeria*, Section 5.

<sup>3006</sup> *Nigeria Labour Act*, Articles 49 and 59 available from <http://natlex.ilo.org/scripts/natlexcgi.exe>. See also U.S. Department of State, *Country Reports- 2003: Nigeria*, Section 6d.

<sup>3007</sup> U.S. Consulate- Lagos, *unclassified telegram no. 1914*.

<sup>3008</sup> *Nigeria Labour Act*, Articles 59 and 61.

<sup>3009</sup> Ibid., Articles 59 and 60.

<sup>3010</sup> Ibid., Articles 59 and 65.

the age of 18, and for any persons who commit children under 18 years in their care to prostitution or indecent assault.<sup>3011</sup> .

The Ministry of Employment, Labor, and Productivity is responsible for enforcing legal provisions regarding working conditions and worker protection. However, there are fewer than 50 labor inspectors, and inspections are conducted only in the formal business sector where there are few occurrences of child labor.<sup>3012</sup> Enforcement provisions have not deterred violations. The Nigeria Police Force (NPF) has established anti-trafficking units in eleven states with the worst trafficking problems.<sup>3013</sup> At the institutional level, government authorities do not facilitate or condone trafficking; however, the National Agency for the Prohibition of Traffic in Persons (NAPTIP) has received reports from informants and foreign officials that law enforcement officers and individuals in the immigration and airport authorities collaborated in trafficking across the Nigeria's borders. The law provides punitive measures for officials who aid or abet trafficking; however, during the year, NAPTIP and NPF found no evidence of official complicity, and no officials were prosecuted, tried, or convicted for trafficking-related charges.<sup>3014</sup>

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

The Government of Nigeria is participating in two USDOL-funded ILO-IPEC projects. These projects include a regional project to combat the trafficking of children,<sup>3015</sup> and a project funded in part by the Cocoa Global Issues Group that seeks to withdraw children from hazardous work in the cocoa sector, generate income for families, and promote education.<sup>3016</sup> In addition, the USAID-supported Sustainable Tree Crops Program is incorporating child labor

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	10/2/2002	✓
Ratified Convention 182	10/2/2002	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		✓
Sector Action Plan		

<sup>3011</sup> 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, 23, 25-26, 36-38.

<sup>3012</sup> Ibid., Section 6d. Other agencies responsible for enforcing child labor laws include the Federal Ministry of Women Affairs and Youth Development, the Child Rights Department of the National Human Rights Commission, and the local government within the 36 states and capital territory. See U.S. Consulate- Lagos, *unclassified telegram no. 1914*.

<sup>3013</sup> U.S. Department of State, *Country Reports- 2003: Nigeria*, Section 6f.

<sup>3014</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Nigeria*, Washington, D.C., February 28, 2005, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41620.htm>. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Nigeria*. Victims interviewed by UNODC identified the complicit and collaborative behavior of police, security force, immigration, and customs officials. NAPTIP briefed the heads of police and immigration on the issue. NAPTIP also worked with the Minister of Aviation to address corruption among airport officials. U.S. Consulate-Lagos, Email communication, June 1, 2005.

<sup>3015</sup> 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)*, project document, RAF/01/P53/USA, Geneva, March 2001, 2.

<sup>3016</sup> 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, 12.

issues into its program, and is coordinating with the USDOL-funded ILO-IPEC program to address child labor in the cocoa sector.<sup>3017</sup> The ILO and the News Agency of Nigeria launched a program in August 2004 to raise awareness and build the capacity of the media to eliminate child labor and trafficking.<sup>3018</sup>

The Government of Nigeria is working with the UN Office on Drugs and Crime's Global Program Against Trafficking in Human Beings 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.<sup>3019</sup> In addition, the Governments of Nigeria and Italy are committed to a UN Interregional Crime and Justice Research Institute pilot project, which aims to build capacity to reduce child trafficking from Nigeria to Italy.<sup>3020</sup> With the involvement of the government, UN agencies, and civil society institutions, IOM is leading an anti-trafficking victim assistance and awareness-raising project in Nigeria.<sup>3021</sup> In July 2004, with funding from USAID, the IOM and NAPTIP opened a shelter in Lagos for returned trafficking victims.<sup>3022</sup> Since opening, the shelter has assisted more than 300 victims.

The Government of Nigeria launched a poverty reduction strategy entitled, "National Economic Empowerment Development Strategy" (NEEDS), which sets a developmental agenda for the country through 2007. The NEEDS document seeks to provide a safety net to vulnerable groups and emphasizes the importance of education and the protection of children from all forms of abuse including hazardous work, sexual exploitation, and trafficking.<sup>3023</sup> In addition, the Government of Nigeria also launched a 2004-2007 Strategic National Education Plan, which aims to improve the quality of education at all levels.<sup>3024</sup>

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<sup>3017</sup> *Ibid.*, 8 and 12. See also USAID, *Trafficking in Persons: USAID's Response*, September 2001, 4; available from <http://www.usaid.gov/wid/pubs/traffickinginpersons.pdf>.

<sup>3018</sup> U.S. Consulate- Lagos, *unclassified telegram no. 1914*. See also Kabissa, *ILO, NAN to train journalists on child trafficking*, [previously online] August 8, 2004 [cited October 28, 2004]; available from <http://lists.kabissa.org/lists/archives/public/womensrightswatch-nigeria/msg00957.html> [hard copy on file].

<sup>3019</sup> The project is supported by funds from Canada, France and Norway. See UN Office on Drugs and Crime, *Pilot Projects*, [online] [cited September 8, 2004]; available from [http://www.odccp.org/odccp/trafficking\\_projects.html](http://www.odccp.org/odccp/trafficking_projects.html).

<sup>3020</sup> UNICEF, *Trafficking in Human Beings, Especially Women and Children, in Africa*, Innocenti Research Center, Florence, September 2003, 38-39.

<sup>3021</sup> IOM, *Online Project Compendium*, [online] [cited June 4, 2004]; available from <http://www.iom.int/iomwebsite/Project/ServletSearchProject?event=detail&id=SN1Z027>.

<sup>3022</sup> Habiba Adamu, *The Other Side of Human Trafficking*, all Africa, [online] January 4, 2005 [cited January 21, 2005]; available from <http://allafrica.com/stories/printable/200501040198.html>. See also Funmi Komolafe, *Human trafficking thrives, barons escape justice*, Vanguard Online Edition, [online] August 29, 2004 [cited January 21, 2005]; available from <http://www.vanguardngr.com/articles/2002/features/fe529082004.html>.

<sup>3023</sup> Education strategies include full implementation of the free and compulsory education requirement, a review of school curricula at all levels, and increasing the number of vocational centers. See Government of Nigeria, *Nigeria: National Economic Empowerment and Development Strategy*, March 2004, 5, 54, 101, 08; available from <http://www.nigeria.gov.ng/eGovernment/Needs.PDF>. See also Daily Champion (Lagos), *Osuji Takes SNEP to UNESCO*, allAfrica, [online] September 29, 2004 [cited October 28, 2004]; available from <http://allafrica.com/stories/200409290567.html>.

<sup>3024</sup> UNESCO, *Nigeria: Minister of Education*, [online] 2004 [cited October 28, 2004]; available from <http://www.ibe.unesco.org/International/ICE47/english/MesMOE/messages/nigeria.html>.

UNICEF, in collaboration with the government, has launched a Strategy for Acceleration of Girls Education in Nigeria to promote equal access to education for girls by 2005.<sup>3025</sup> UNICEF also works to improve enrollment and retention in primary school by focusing on teaching and learning practices.<sup>3026</sup> The Government of Nigeria is implementing a USD 101 million Universal Basic Education Project supported by the World Bank, which aims to improve the quality of schools, increase access to education, and strengthen the Education Management Information System in Nigeria.<sup>3027</sup> The World Bank is also supporting the Second Primary Education Project, which is improving the quality of primary education through teacher training, enhancing the educational environment by setting up focus schools, improving quality and availability of curriculum materials, and developing an information base for decision making.<sup>3028</sup> USAID funds support 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.<sup>3029</sup>

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<sup>3025</sup> Andrew Ahiente, *Nigeria: Challenges of the Girl Child*, [online] August 19, 2003 [cited May 19, 2004]; available from <http://www.globalmarch.org/clns/mail-clns/clns-mail-sept-detail.html>.

<sup>3026</sup> UNICEF, *UNICEF: At a glance: Nigeria - the big picture*, [online] July 24, 2003 [cited June 2, 2004]; available from <http://www.unicef.org/infobycountry/nigeria.html>.

<sup>3027</sup> The project began in 2002. See World Bank, *Universal Basic Education Project*, [online] June 2, 2004 [cited June 2, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P071494>.

<sup>3028</sup> The Bank is providing USD 55 million to the effort, which began in May 2000 and is scheduled to close at the end of December 2004. See World Bank, *Nigeria: Primary Education II*, [online] June 2, 2004 [cited June 2, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P066571>.

<sup>3029</sup> USAID, *S03 - Basic Education*, [online] no date [cited June 2, 2004]; available from <http://www.usaid.gov/ng/so3.htm>.