

Nigeria

Selected Statistics and Indicators on Child Labor

Percent of children 5-14 estimated as working in 2003:	Unavailable ³¹⁵³
Minimum age for admission to work:	15 ³¹⁵⁴
Age to which education is compulsory:	6-12 ³¹⁵⁵
Free public education:	Yes ^{3156*}
Gross primary enrollment rate in 2004:	99% ³¹⁵⁷
Net primary enrollment rate in 2004:	60% ³¹⁵⁸
Percent of children 5-14 attending school:	Unavailable ³¹⁵⁹
As of 2003, percent of primary school entrants likely to reach grade 5:	73% ³¹⁶⁰
Ratified Convention 138:	10/2/2002 ³¹⁶¹
Ratified Convention 182:	10/2/2002 ³¹⁶²
ILO-IPEC participating country:	Yes, associated ³¹⁶³
* In practice, must pay for school fees.	

Incidence and Nature of Child Labor

Child labor in Nigeria is prevalent, especially in the informal sectors.³¹⁶⁴ Children work on family and commercial farms and as domestic servants. They also work in fishing, mining, quarrying, the transportation industry, construction, and garment manufacturing.³¹⁶⁵ Children

³¹⁵³UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

³¹⁵⁴U.S. Department of State, "Nigeria," in *Country Reports on Human Rights Practices- 2006*, March 6, 2007, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78751.htm>. See also *Nigeria Labour Act*, (1974); available from <http://www.ilo.org/dyn/natlex/docs/WBTEXT/42156/64980/E7RNGA01.htm#p3>. Article 59.

³¹⁵⁵UNESCO, "Regional Overview: Sub-Saharan Africa," in *Global Monitoring Report 2003/4: Gender and Education for All*, Paris, 2004; available from http://www.unesco.org/education/efa_report/zoom_regions_pdf/ssafrica.pdf. See also Government of Nigeria, *National Policy on Education*, NERDC, Lagos, November 2004., 13. Nigerian Universal Basic Education Commission (UBEC), *Some Information on Universal Basic Education by UBEC*, 2005. 3.

³¹⁵⁶*Constitution of the Federal Republic of Nigeria*, (1999); available from <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>.

³¹⁵⁷UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

³¹⁵⁸UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

³¹⁵⁹UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

³¹⁶⁰Ibid.

³¹⁶¹ILO, *Ratifications by Country*, accessed October 18, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/ratifice.pl?Nigeria>.

³¹⁶²Ibid.

³¹⁶³ILO-IPEC, *IPEC Action Against Child Labor - Highlights 2006*, Geneva, 2006; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20070228_Implementationreport_en_Web.pdf.

³¹⁶⁴Government of Nigeria, *Draft National Policy on Child Labor*, 2006, 3.,

³¹⁶⁵Ibid., 4-5. See also Government of Nigeria, *Efforts to Eliminate the Worst Forms of Child Labor*, February 26, 2007, 1, Government of Nigeria-Federal Office of Statistics and ILO/SIMPOC, *Final Report on National Modular Child Labour Survey: Nigeria*, ILO, Lagos, 2000-2001. See also Government of Nigeria-Federal Office of Statistics and ILO/SIMPOC, *National Modular Child Labour Survey Report: Nigeria*, Anthony Hodges, *Children's and*

also work in carpentry, masonry, hairdressing, weaving, dyeing, tailoring, carving, and tanning.³¹⁶⁶ In urban areas, children work as street peddlers, shoe-shiners, load carriers, car washers, scavengers, and beggars.³¹⁶⁷

Children in Nigeria are engaged in the drug trade.³¹⁶⁸ Commercial sexual exploitation of children is also common in many cities in Nigeria, including the Niger Delta regions of Port Harcourt, Bonny, and Akwa Ebom, and large cities, like Lagos.³¹⁶⁹ The Government of Nigeria reports children being subjected to forced labor and armed conflict.³¹⁷⁰

Nigeria is a source, transit, and destination country for child trafficking.³¹⁷¹ Children are reported to be trafficked for involuntary domestic and agricultural labor as well as street peddling, within the country and to countries in West and Central Africa. Children from Benin and other West African countries are also trafficked to Nigeria for forced labor.³¹⁷² Within the country, boys have been trafficked primarily to work as bonded laborers, street peddlers, and beggars, while girls have been trafficked for domestic service, street peddling, and commercial sexual exploitation.³¹⁷³

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years, except for light agricultural, horticultural, or domestic work performed for the family.³¹⁷⁴ The minimum age for apprenticeships is 13 years.³¹⁷⁵ The law prohibits employing children under 15 years in any industrial undertaking.³¹⁷⁶ Children under 16 years are prohibited from working underground, on machines, at night, on public holidays, or in dangerous or immoral employment. Children under 16 are also prohibited from working more than 8 hours a day and cannot be required to work for

Women's Rights in Nigeria: A Wake-up Call, Situation Assessment and Analysis 2001 (Lagos: UNICEF and the Nigeria National Planning Commission, 2001), 204.

³¹⁶⁶ Government of Nigeria, *Draft National Policy on Child Labor*, 4.

³¹⁶⁷ *Ibid.*, 4. See also Government of Nigeria-Federal Office of Statistics and ILO/SIMPOC, *National Modular Child Labour Survey Report: Nigeria.*, 23-26. See also U.S. Department of State, "Country Reports- 2006: Nigeria," Section 6d, and U.S. Embassy- Abuja official, E-mail communication to USDOL official, August 1, 2007.

³¹⁶⁸ Government of Nigeria, *Efforts to Eliminate the Worst Forms of Child Labor*, 1. See also Government of Nigeria, *Draft National Policy on Child Labor 2006*, 5.

³¹⁶⁹ ECPAT International CSEC Database, *Nigeria*, September 13, 2006; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=126&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pornography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=&DisplayBy=optDisplayCountry. See also U.S. Department of State, "Country Reports- 2006: Nigeria," Section 5.

³¹⁷⁰ Government of Nigeria, *Efforts to Eliminate the Worst Forms of Child Labor*, 1. See also Government of Nigeria, *Draft National Policy on Child Labor.*, 5.

³¹⁷¹ U.S. Department of State, "Nigeria (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65989.htm>.

³¹⁷² U.S. Department of State, "Country Reports- 2006: Nigeria," Section 6d.

³¹⁷³ *Ibid.*

³¹⁷⁴ *Ibid.* Government of Nigeria, *Nigeria Labour Act 1974*, Article 59; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42156/64980/E7RNGA01.htm#p3>.

³¹⁷⁵ Government of Nigeria, *Nigeria Labour Act 1974*, Article 49.

³¹⁷⁶ *Ibid.*, Articles 59-61.

more than 4 consecutive hours.³¹⁷⁷ The Federal Child's Rights Act of 2003 provides criminal sanctions for violation of child labor laws.³¹⁷⁸ However, it is legally binding only in the Nigerian states where it has been adopted. Of Nigeria's 36 states, only the Federal Capital Territory, Anambra, Ondo, Ogun, Oyo, Nasarawa, Ebonyi, and Cross River have adopted the law.³¹⁷⁹

The law punishes with imprisonment for life the trafficking of persons under 18 with the intent to prostitute them.³¹⁸⁰ Inducing a person under 18 years into prostitution whether by force, deception, debt bondage, or with the victim's consent is punishable by 10 years of imprisonment.³¹⁸¹ The law also prohibits forced labor, trafficking in slaves, pornography, drug trafficking, and forced or compulsory recruitment into armed conflict of any person, including children.³¹⁸² The law applies to all residents of Nigeria and to Nigerians who are convicted outside of Nigeria for trafficking-related offenses.³¹⁸³ 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.³¹⁸⁴ Nigeria has no military conscription. Recruitment into the professional armed forces is on a voluntary basis. The minimum legal recruitment age is 18.³¹⁸⁵

The responsibility of enforcing child labor laws rests with various ministries and agencies at the federal, state, and local levels. The Federal Ministry of Employment, Labor, and Productivity coordinates all efforts to combat child labor through its Inspectorate Department, which includes a Child Labor Unit.³¹⁸⁶ The law authorizes the Minister of Labor to regulate child domestic service.³¹⁸⁷ According to the U.S. Department of State, Nigerian federal government initiatives to stem the incidence of child labor have been ineffective, in particular as they have been unable to reach all state and local levels.³¹⁸⁸ Although the Ministry conducted inspections, the inspections focused on the formal business sector, where the incidence of child labor is not a significant problem.³¹⁸⁹ The Ministry of Labor has trained approximately 120 labor inspection

³¹⁷⁷ Ibid., Articles 59-60.

³¹⁷⁸ U.S. Embassy- Abuja, *reporting*, December 15, 2006, para 8a.

³¹⁷⁹ Ibid.

³¹⁸⁰ Government of Nigeria, *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*, (July 2003), Section 11. See also The Protection Project, *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children: Nigeria*, [cited October 18, 2006]; available from <http://www.protectionproject.org/>, 7-8.

³¹⁸¹ Government of Nigeria, *Trafficking in Persons Act*, Sections 11-14. See also The Protection Project, *2005 Human Rights Report on Trafficking in Persons: Nigeria*, 7-8.

³¹⁸² Government of Nigeria, *Trafficking in Persons Act*, Section 15. See also The Protection Project, *2005 Human Rights Report on Trafficking in Persons: Nigeria*, 8-9.

³¹⁸³ Government of Nigeria, *Trafficking in Persons Act*, Sections 14 and 25.,

³¹⁸⁴ Ibid., Section 36.

³¹⁸⁵ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004-Nigeria*, online report, 2004; available from http://www.child-soldiers.org/document_get.php?id=790.

³¹⁸⁶ Gladys Makaju, Deputy Director, Education Sector Analysis, Interview with USDOL Consultant, March 29, 2005. See also U.S. Department of State, "Country Reports- 2006: Nigeria," Section 6d.

³¹⁸⁷ Government of Nigeria, *Nigeria Labour Act 1974*, Articles 59 and 65.

³¹⁸⁸ U.S. Department of State, "Country Reports- 2006: Nigeria," Section 6d.

³¹⁸⁹ Ibid.

officers on child labor laws and has an additional 80 officers to perform inspections in high-risk areas such as agriculture, mining, and in the informal sector.³¹⁹⁰

Enforcement efforts regarding trafficking are the primary responsibility of the National Agency for Prohibition of Trafficking in Persons (NAPTIP).³¹⁹¹ The National Police Force (NPF) and the Nigerian Immigration Service (NIS) also have anti-trafficking units responsible for combating trafficking.³¹⁹² The NAPTIP, NPF, and NIS are improving coordination and record-keeping, and the number of trafficking cases investigated and prosecuted is reported to be increasing.³¹⁹³ Between November 2005 and March 2006, NPF rescued 96 victims, NAPTIP rescued 21 victims, and NIS, operating at international borders, rescued 16 child laborers/trafficking victims.³¹⁹⁴ Despite this, trafficking is reportedly on the rise, and NAPTIP lacks adequate resources to address all of the victims' needs.³¹⁹⁵ The Ministry of Labor and Productivity is reported to have repatriated 370 trafficked children.³¹⁹⁶ At the state level, anti-trafficking police units have been established and staffed in states with the worst trafficking problems.³¹⁹⁷

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

The Government of Nigeria participated in a USD 6 million USDOL-funded regional project, which withdrew or prevented 1,017 children from hazardous work in the cocoa sector and closed in April 2006.³¹⁹⁸ In addition, the USAID-supported Sustainable Tree Crops Program incorporates child labor issues into its program in Nigeria.³¹⁹⁹ With funding from Canada, France and Norway, the UNODC Global Program against Trafficking in Human Beings provides technical assistance to the government to assess trends in human trafficking.³²⁰⁰ The Governments of Nigeria and Italy are collaborating on a separate UNODC project to reduce the trafficking of women and minors for the purpose of commercial sexual exploitation between the two countries.³²⁰¹

³¹⁹⁰ U.S. Embassy- Abuja, *reporting, December 15, 2006*, para 8b. See also Government of Nigeria, *Efforts to Eliminate the Worst Forms of Child Labor*, 3.

³¹⁹¹ U.S. Department of State, "Country Reports- 2006: Nigeria," Section 5.

³¹⁹² *Ibid.* See also The Protection Project, *2005 Human Rights Report on Trafficking in Persons: Nigeria.*, 14.

³¹⁹³ U.S. Department of State, "Country Reports- 2006: Nigeria," Section 5.

³¹⁹⁴ U.S. Embassy- Abuja, *reporting, December 15, 2006*, para 8b.

³¹⁹⁵ U.S. Embassy- Abuja, *reporting*, March 14, 2007, para 1b.

³¹⁹⁶ Government of Nigeria, *Efforts to Eliminate the Worst Forms of Child Labor*, 3.

³¹⁹⁷ U.S. Department of State, "Country Reports- 2006: Nigeria," Section 5.

³¹⁹⁸ ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour*, final technical progress report, Geneva, June 2006, 19, 31, and 41.

³¹⁹⁹ 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., 10. See also Sustainable Tree Crops Program, *Program Overview and Country Activities*, [online] 2006 [cited October 19, 2006]; available from http://www.treecrops.org/aboutstep/program_overview.asp. See also ILO-IPEC, *West Africa Cocoa (WACAP)*, final technical progress report, 6.

³²⁰⁰ UN Office on Drugs and Crime, *Pilot Projects: Technical Cooperation by Geographical Region: Africa*, [online] [cited October 20, 2006]; available from http://www.odccp.org/odccp/trafficking_projects.html.

³²⁰¹ UN Office on Drugs and Crime, *Programme of action against trafficking in minors and young women from Nigeria into Italy for the purpose of sexual exploitation*, 2006 [cited October 20, 2006]; available from <http://www.unodc.org/nigeria/en/humantrafficking.html>.

In July 2006, Nigeria was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa and the Joint Plan of Action Against Trafficking in Persons, Especially Women and Children in the West and Central African Regions.³²⁰² As part of the Multilateral Cooperative Agreement, the governments agreed to put into place the child trafficking monitoring system developed by the U.S. Department of Labor-funded, ILO-IPEC LUTRENA project; to ensure that birth certificates and travel identity documents cannot easily be falsified or altered; to provide assistance to each other in the investigation, arrest and prosecution of trafficking offenders; to protect, rehabilitate, and reintegrate trafficking victims; and to improve educational systems, vocational training and apprenticeships.³²⁰³

³²⁰² ILO-IPEC, *Combating Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)-Phase II*, technical progress report, September 30, 2006., 10-11.

³²⁰³ ECOWAS and ECASS, "Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa Abuja", July 7, 2006. See also Emmanuel Goujon, "African States sign up to fight human trafficking," *Agence France Presse*, July 7, 2006.