



NATIONAL POLICY ON CHILD LABOUR

(Phase II)

NATIONAL POLICY ON CHILD LABOUR (PHASE II) 2022



FEBURARY, 2022

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It is our hope and desire that the revised Policy will be the guide for national actions towards ending Child Labour in Nigeria.



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PREFACE

The National Policy on Child Labour is the national response to combating child labour in Nigeria.

First developed in 2013, the policy reflects the government of Nigeria's determination and the political will to take decisive actions against Child Labour by providing the legal framework and the enabling environment aimed at eliminating Child Labour especially in its worst forms.

Evaluation of the implementation and impact of the 2013 policy and the 2013 - 2017 Action Plan after their expiration showed that although Nigeria has achieved considerable milestones in her fight against child labour, the menace is still prevalent across the country. This situation remains a threat to the future of Nigerian children and the overall development of the nation as Child Labour keeps its victims away from school and perpetuates their poverty. It impedes the physical, social, mental, and moral development of the child and creates a pool of vulnerable children for recruitment into all forms of deviant behaviours.

The United Nations declared 2021 as the International Year for the Elimination of Child Labour. The significance of this profound declaration is anchored in its main objective, which is to move from commitment to action in the fight against child labour. In line with this, the validation of this revised National Policy by major stakeholders marks an important milestone in fulfillment of Nigeria's commitment made at the global launch of the International Year for the Elimination of Child Labour (IYECL).

This revised Policy went through an extensive and rigorous consultation process with the relevant Child Labour actors among the Tripartite Partners (Government, Labour Unions, and Employers' Associations), Civil Society Organizations, Faith Based Groups and Development Partners. The final product reflects the gains recorded and the gaps noted in the implementation of the previous Policy and bridges the observed gaps through sound and well thought out policy prescriptions and measures. It explicitly defines the roles and responsibilities among the constituent parts of the multi-sectorial approach, to achieve the objective of Target 8.7, which seeks member States of the U.N to take accelerated actions to eliminate Child Labour by 2025.

I am positive that committed and faithful implementation of this revised Policy by all Stakeholders will bring about a significant advancement towards a nation free from Child Labour and other forms of Modern Slavery by 2025.



Senator (Dr.) Chris Ngige, OON,
Honourable Minister,
Federal Ministry of Labour and Employment,
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ACRONYMS AND ABBREVIATIONS

BON	Broadcasting Organisation of Nigeria
CAN	Christian Association of Nigeria
CBO	Community Based Organisations
CDA	Community Development Association
CL	Child Labour
CLMS	Child Labour Monitoring System
CLM	Child Labour Monitoring
CLU	Child Labour Unit
CRA	Child's Rights Act
CRIC	Child Rights Implementation Committee
CPN	Child Protection Network
CSO	Civil Society Organisations
ECOWAS	Economic Community of West African States
EFA	Education for All
FBO	Faith Based Organisations

FCT	Federal Capital Territory
FEC	Federal Executive Council
FGD	Focus Group Discussion
FGN	Federal Government of Nigeria
FML&E	Federal Ministry of Labour & Employment
FMWA	Federal Ministry of Women Affairs
FME	Federal Ministry of Education
MMSD	Ministry of Mines & Steel Development
FMOJ	Federal Ministry of Justice
HCL	Hazardous Child Labour
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IEC	Information Education Communication (Material)
ILO	International Labour Organisation
IPA	Implementing Partners/Agencies
IPEC	International Programme on the Elimination of Child Labour
LACON	Legal Aid Council of Nigeria
LGA	Local Government Area/Authority

M&E	Monitoring & Evaluation
MAN	Manufacturers' Association of Nigeria
MDAs	Ministries, Departments and Agencies
SDGs	Sustainable Development Goals
MIS	Management Information System
NACTAL	Network of Civil Society Organisations against Child Trafficking Abuse and Labour
NAP	National Action Plan
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NASU	Non-Academic Staff Union of Universities
NBA	Nigerian Bar Association
NBS	National Bureau of Statistics
NCS	Nigeria Customs Service
NDE	National Directorate of Employment
NDLEA	National Drug Law Enforcement Agency
NECA	Nigeria Employers' Consultative Association
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission

NIS	Nigeria Immigration Service
NLC	Nigeria Labour Congress
NOA	National Orientation Agency
NP	National Policy
NPC	National Planning Commission
NSC	National Sports Commission
NPF	Nigerian Police Force
NSCDC	Nigerian Security and Civil Defense Corps
NSCCL	National Steering Committee on Child Labour
NSCIA	Nigerian Supreme Council for Islamic Affairs
NUT	Nigeria Union of Teachers
OSH	Occupational Safety and Health
OVC	Orphan and Vulnerable Children
PTA	Parents Teachers Association
SIM	Statistical Information and Monitoring
SMEDAN	Small & Medium Scale Enterprises Development Agency of Nigeria
SOP	Standard Operating Procedure

SSCCL	State Steering Committee on Child Labour
SUBEB	State Universal Basic Education Board
TUC	Trade Union Congress
UBE	Universal Basic Education
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations Children Emergency Fund
USDOL	United States Department of Labour
WDC	Ward Development Committee

1. INTRODUCTION

1.1 Background

1.1.1 Socio-Economic Context

With an estimated population of over 200 million, Nigeria is the most populous country in Sub-Saharan Africa and has been described as the fastest growing economy in Africa. According to the National Bureau of Statistics (NBS) report “2019 Poverty and Inequality in Nigeria”, approximately 40% of the Nigerian population lives below the poverty line. This means that over 80 million Nigerians are poor. The Nigerian government recently rolled out a range of socio-economic reforms aimed at alleviating poverty among the citizens as well as growing the fragile economy. As cheery as this news may be, the positive effect is yet to be seen in the individual lives of Nigerians. Realistically, a whole lot still lies ahead, as the fall out of the COVID-19 pandemic slowed down activities in the last months of 2020, making the situation even more difficult.

The demographics of Nigeria show a youth population of over 43%, underlying the need to prioritise investments in education. If children and young people are to be protected against economic exploitation, school drop-out and hazardous work, a focus on youth empowerment including employment, should be an important policy and socio-economic priority, along with promoting skills,

employability, and safe migration in general.

1.1.2 Child Labour/Forced Labour Context

Consistent with the *Child Rights Act, 2003*, the United Nations *Convention on the Rights of the Child* and other relevant Conventions, a 'child' in this policy document refers to any person below the age of 18.

'Child labour', is the engagement of children below 18 years in any work that is essentially exploitative and injurious to the physical, social, cognitive, and moral development of the child. It presents a formidable challenge in many societies due to its negative impact on the natural development of children. Conversely, 'acceptable forms of work' consist of moderate involvement of children in household and occupational activities carried out in safe conditions and environments and constitute a mechanism for socialising children in the norms, traditions, and skills necessary for their effective adjustment to their social and economic milieu.

'Forced labour' is described as any work or service which people are compelled to do against their will under threat, coercion, constraint, or obligation. By ILO estimates, over 25 million people are in forced labour globally and 4 million of these are children. The global alliance 8.7 focuses on the eradication of forced labour, modern slavery, human trafficking, and child labour. Therefore, this revised policy considers not just child labour but also forced labour.

Child labour has remained a global phenomenon despite efforts at different levels to reduce or eliminate it. In Africa, statistical estimates have continued to soar, while progress has been made in other regions. This is further heightened by the worsening global economy, and the increasing occurrences of internal conflicts and internal displacements.

An International Labour Organisation (ILO) publication of 2017¹ reveals that a total of 152 million children – 64 million girls and 88 million boys – are in child labour globally, accounting for almost one in ten of all children worldwide; and nearly half of these children are in Africa.

Seventy-three (73) million children are said to be engaged in hazardous works that directly endanger their health, safety, and moral development.

In Nigeria, it is estimated that over 43% of Nigerian children aged between 5 and 11 are involved in economic activities, including engagement in the worst forms of child labour. According to the 2016 - 2017 MICS survey, 39% of the children are working under hazardous conditions including in quarrying granite, artisanal mining, commercial sexual exploitation, and armed conflict, sometimes because of human trafficking². These figures reflect the degree of urgency required by the various actors working to proffer solutions to the reduction and possible elimination of child labour globally,

¹https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575499.pdf

²<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/nigeria>

including in Nigeria.

The causative factors for child labour include poverty, the problem of large families, traditional and religious misconceptions, socio-cultural norms and values, conflicts and political instability which heighten child vulnerabilities, refugees and internally displaced persons (IDPs) occasioned by violence, natural and man-made disasters which accentuate vulnerability, weak educational systems, human capital investment and the general absence of an effective child protection system. Today in Nigeria, terrorist incursions with the attendant kidnappings, enslavement, and other attacks against children, have further exacerbated the vulnerabilities of children to child labour. This situation may also have limited the expected outcomes/impacts of government policies and actions, and stalled progress in the elimination of child labour.³

Continuous efforts are however being made to stem the rising tide of child labour and its attendant effects on children in Nigeria as well as the socio-economic situation of the nation, generally. The country has achieved significant milestones in creating the enabling legal and policy frameworks for the elimination of child labour, particularly with the ratification and domestication of relevant ILO Conventions and Protocols on labour and by extension on child labour.

Nigeria has also embraced the regional approach in the fight against child labour, consistent with

³Ataguba, R. Report of the Findings of An Evaluation of the Level of Implementation of ECOWAS Regional Action Plan for the Elimination of Child Labour in West Africa, Especially its Worst Forms, 2012 -2015

the country's international commitments, including the *2015 Sustainable Development Goals* (SDGs) and its offshoot global initiative, *Alliance 8.7; Agenda 2063 – The Africa We Want, the Common African Position (CAP) on the Post-2015 Development Agenda and the African Union Agenda for Children 2040: Fostering an Africa Fit for Children*, of November 2015. The country played a leading role in actions by the ECOWAS Commission and her development partners towards the adoption of a new ECOWAS *Child Policy in January 2019*, the *2009 Labour and Employment Policy*, *2012 Humanitarian Policy and Plan of Action*, *Plan of Action on Implementation of International Humanitarian Laws and Political Declaration* and *2002 Plan of Action to Combat Trafficking in Persons*. Significantly, child labour is one of five protection priorities requiring urgent action by the ECOWAS Member States in the *2018 Strategic Framework for Strengthening National Child Protection Systems* to prevent and respond to violence, abuse and exploitation against children in West Africa.⁴

The implementation of the country's *National Policy on Child Labour* and its *Action Plan*, 2013 to 2017 was recently evaluated, in partnership with the ACCEL Africa project, signifying the nation's

⁴Ataguba, R. Report of the Findings of An Evaluation of the Level of Implementation of ECOWAS Regional Action Plan for the Elimination of Child Labour in West Africa, Especially its Worst Forms, 2012 -2015

commitment to partnerships towards eliminating child/forced labour.

However, other issues have emerged which were not in existence at the commencement of the first phase of the National Policy on Child Labour. Notably, the Almajiri children's issue has continued to be a source of concern to stakeholders as its contribution to the number of out-of-school children in Nigeria is enormous. Communal conflicts in North-Central, insurgency and kidnappings in the North-East and banditry in the North-West might also have contributed to the increase in the number of children and youth on the move. Child and youth migration, especially when it is clandestine, increases the chances of labour exploitation for the young people who are forced to move in search of safety and for economic reasons.

The foregoing situations are given consideration in this revised *National Policy on Child Labour*.

1.3 POLICY RATIONALE

Eight years after the adoption of the *National Policy on Child Labour 2013*, and the ensuing *National Action Plan for the Elimination of Child Labour 2013-2017*, it became imperative to evaluate the level of implementation and effectiveness of these policy documents in the efforts to eliminate child labour in Nigeria. The outcome of the evaluation and the changing landscape of child protection and child labour specifically, necessitated a review/revision of the *National Policy on Child Labour*. It is based on the foregoing that this revised policy has come into existence.

The findings of the evaluation report revealed that a significant number of the objectives set in phase one of the National Policy on Child Labour remain relevant today. To this end, this second phase provides modalities for scaling up in the following areas:

- a. Harmonisation of child labour projects and interventions in the country.
- b. Evidence-based and sustained implementation of programs and projects for the prevention and elimination of child labour.
- c. Continued advocacy for government's commitment and stakeholders' engagement on initiatives to eliminate child/forced labour;
- d. Greater involvement of social partners, Implementing Partners/Agencies (IPA), Civil Society Organizations, International Organisations and other stakeholders;
- e. Provision of a realistic and achievable National Action Plan (NAP) on the elimination of child labour for the country;
- f. Fostering networking and collaboration among local, national and international organisations;
- g. Resource mobilization and utilization;
- h. Development of a national database on child labour for generating, storing, retrieving data to meet local, national and international data needs for evidence-based planning and decision making;
- i. Programme monitoring, evaluation and review.

II. NATIONAL POLICY FRAMEWORK

2.1 Policy Context

The National Policy on Child Labour is complementary to all existing policies, laws and regulations on matters relating to children, especially at work.

The legal framework for this policy document is in consonance with relevant national policies, national laws, and international conventions, as listed in appendix 1 below (see Appendix 1).

This policy recognizes the need for networking among the stakeholders and provides them the opportunity to contribute to efforts on the elimination of child labour, particularly its worst forms.

2.2 Vision

To have a society that is child-friendly and progressively child/forced labour free, in which children are equipped to contribute to national development.

2.3 Mission

To accelerate action for systems strengthening through sustainable frameworks for the elimination of child/forced labour.

2.4 Goal

To provide policy direction for the acceleration of the national programme on the elimination of the worst forms of child labour by 2025, and complete eradication of child/forced labour by 2030.

2.5 Objectives

The National Policy on Child Labour has the following specific objectives:

- a. To provide guidelines for ratification and timely domestication and implementation of all relevant, ratified international conventions and protocols by National and State Assemblies including ILO Convention 189; and for the harmonization of the minimum age of employment in Nigeria.
- b. Provide guidelines for awareness creation, advocacy and sensitisation among the general populace about the evil effects and consequences of child labour in Nigeria as well as its prevention.
- c. Provide guidelines and modalities for concrete direct action projects and programmes by governments and other relevant stakeholders at all levels, in combating child/forced labour.
- d. Provide guidelines for effective resource mobilisation and sustainability of action programmes and projects amongst Implementing Partners and Agencies.
- e. Provide a coordinating and networking framework of action.

programmes among stakeholders and Implementing Agencies on the elimination of child/forced labour in Nigeria with a view to strengthening and streamlining efforts.

- f. Provide guidelines for monitoring, evaluating and reviewing policies, legislations, regulations on projects and programmes on child/forced labour.
- g. Provide guidelines for child and youth participation in the elimination of child/forced labour.
- h. Develop and implement a national research agenda for a national database on child/forced labour

2.8 Definition of Terms and Key Concepts

For common understanding and interpretation of key terms and phrases in this policy document, standard definitions, and brief contexts for some of these terminologies are provided below in conformity with provisions in ratified global conventions and the CRA as applied, to convey their true meanings and usages.

A Child

The CRA (2003) of Nigeria, Section 277 defines a child as “a person under the age of 18 years”, in total consonance with the Article 1 of the UNCRC.

Rights of the Child

In addition to the fundamental human rights provisions in the 1999 Constitution, the CRA confers additional rights for a Nigerian child including: -

- Rights to survival and development.
- Rights to a name privacy and family life.
- Rights to freedom of movement; and to freedom from discrimination.
- Rights to dignity of the child; to leisure, recreation, and cultural activities.
- Rights to health and health services, parental care, protection and maintenance.
- Rights to free, compulsory and universal basic education (first 9 years of basic education);
- Rights of a child in need of special protection, of the unborn child to protection against harm; to counsel; and to fair hearing and compliance with due process.

Child Labour

Child labour is work that harms children's wellbeing and hinders their education, development, and future livelihoods.

Child labour is work, which by its nature and/or the way it is carried out, harms, abuses, and exploits the child or deprives the child of an education.

Acceptable Child Work

Acceptable child work means any work done by children or adolescents that does not affect their health, personal development, and schooling but contributes to their development, welfare, skills and experience to help them become productive members of the society in their adulthood.

Domestic Work

Domestic work means work performed in or for a household, in which there is an employment relationship. It does not cover work done sporadically on non-occupational basis.⁵

Worst Forms of Child Labour

The Worst Forms of Child Labour comprise:

- a. All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage/serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- b. The use, procurement or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c. The use, procuring or offering of a child for illicit activities, in particular, for the production and trafficking of drugs as defined in the relevant international treaties;

⁵C 189, 2011

- d. Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.⁶

Hazardous Child Labour (HCL)

HCL is work as referred to under Article 3 (d) consisting:

- a. Work which exposes children to physical, psychological or sexual abuse;
- b. Work underground, underwater, at dangerous heights or in confined spaces;
- c. Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- d. Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- e. Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.⁷

⁶*Article 3 of ILO Convention No. 182*

⁷ Subparagraphs (d) Article 3 of ILO Convention No. 182

Forced Labour

Forced labour is any work or service which people are compelled to do against their will under threat, coercion, constraint or obligation.

It is “All work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”.⁸

Human (Child) Trafficking

“Trafficking in persons means the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, or the removal of organs”.⁹

Migration

Migration is the process of temporary or permanent relocation of a person from his place of primary

⁸ Forced Labour Convention 29, 1930. Article 2

⁹ *Palermo Protocol Article 3*

abode to another in search of a better living or family reunification or further studies or any other reason. It can occur within a country (internal migration) or outside a country (external migration).

Children on the Move

These are children moving for a variety of reasons, voluntarily or involuntarily, within or between countries, with or without their parents or other primary caregivers, and whose movement might place them at risk (or at an increased risk) of economic or sexual exploitation, abuse, neglect, and violence.

Slavery and Slavery—Like Practices

Slavery is a system under which people are treated as property and are forced to work against their will and deprived of their freedom.

Debt Bondage

Debt bondage is a form of modern day slavery in which a person enters into debt bondage when their labour is demanded as a means of repayment of a loan or opportunities that have been promised.

Serfdom

Serfdom is the general term for servitude to a superior, but distinguished from slavery by being

regulated by custom. Serfdom is a form of servile labour under which the serfs perform unpaid labor for their lord – it is the name of the condition of a peasant who does not enjoy the rights of a free person but is not a slave. While the slave is an object of the law, the serf is still a subject of the law.

3.7 Guiding Principles

The National Policy on Child Labour is based on and shall be governed by the following principles:

- a. Strong political leadership and commitment to transparency and prudent management of financial and other resources at all levels for sustained actions to eliminate child labour in the country;
- b. Multi-sectorial and inter-agency approach that is participatory, community-oriented, community-based, community-driven, gender responsive and forges broad partnerships, dialogue, consultations and effective coordination among stakeholders;
- c. Promotion of children's rights and facilitation of access of child labour victims to rehabilitation and reintegration services and prevention of relapse.
- d. Promotion of the best interest of the child and the duty of care towards anyone in child/forced labour situation to ensure appropriate and adequate care for all concerned.
- e. Participation of children as capable actors and identification of opportunities for them to contribute meaningfully to activities to eliminate child labour;
- f. Commitment to protect rights of victims to confidential and safe interventions at all levels of child

labour programmes in the country;

- g. Commitment to continue to study the dynamics and identify root causes of child labour practices and appropriately deal with them to the benefit of Nigerian children;
- h. Promotion of comprehensive approach to the national child labour programme with strong linkage of strategies in line with global standards;
- i. Strengthened linkages and forged synergies between child labour programmes and poverty alleviation initiatives to break the vicious 'cause and effect' cycle of child labour practices and their relationship with economic deprivation;
- j. Mainstreaming gender into all policy-related programming activities and related structures to ensure that all interventions and programmes are gender-sensitive and gender-responsive, appropriately meeting the separate as well as related needs of females and males;
- k. Targeting the Worst Forms of Child Labor-WFCL. In accordance with ILO Convention 182, the Worst Forms of Child Labour should be targeted as a matter of priority for urgent action.

2.8 National Programme Intervention Strategies

2.8.1 Policy, Legal Framework and Enforcement

Strengthening policy, legal framework, and enforcement to ensure a legally conducive environment for the elimination of child/forced labour.

Enforcement of laws on child labour and punishment for perpetrators of child labour irrespective of their relationship with the child or status in the society shall be undertaken by relevant authorities in accordance to the principle of 'rule of law' in the country.

2.8.2 Systems Strengthening

Strengthening institutional capacity to ensure effective implementation, networking, coordination, and sustainability of actions in organisations responding to the challenges of child labour through capacity building, coordination, collaboration/partnerships, and resource mobilisation.

2.8.3 Advocacy and Awareness Creation

- a. Extensive and high-level advocacy to political decision makers, communities, traditional, religious and educational institutions.
- b. Promoting Public Education and Awareness Campaign for mass mobilization using print, electronic, social media, and all forms of new media to remove the resistance to child labour programmes.

2.8.4 Social Protection and Employment

Promotion of Family Livelihoods and Community Development initiatives that facilitate access to existing social security schemes through cooperatives and other family income conservation programmes located in their environment.

2.8.5 Treatment of Child Labour Victims

Considering that victims of child labour shall be treated within the existing Child Protection System, the following approaches shall be utilized in the treatment of child labour victims:

- a. Identification/reporting
- b. Case management
- c. Psychosocial support and child friendly spaces (CFS)
- d. Family tracing and reunification (FTR)
- e. Family strengthening
- f. Capacity building

2.8.6 Education

Promoting government programmes that prevent child labour such as *Universal Basic Education, vocational-skill acquisition, social protection, poverty eradication/economic empowerment*, and aligning education with employment, market employability and skill needs.

2.8.7 Child Participation

Promoting participation of children in the protection of their own rights through child advocacy, involvement in the planning, implementation and evaluation of programmes targeted towards the elimination of child labour; also, ensuring participation in the negotiation of their welfare in workplaces for children of working age and within the school environment for those in formal education.

2.8.8 Conflict and Emergency Response

Responding to conflict and other humanitarian situations, ensuring adequate emergency/humanitarian responses to prevent and control clandestine migration and internal/external displacements of families which usually render children and young people vulnerable to child/forced labour and exploitation.

2.8.9 Monitoring and Evaluation

Establishment of a sustainable monitoring and evaluation mechanism that will effectively track and report child/forced labour situations and programmes through the development of M&E tools and data bank as well as capacity development of stakeholders. Research, Survey and Surveillances that guide evidence-based, efficient and cost-effective interventions to eliminate child labour in Nigeria through efficient knowledge management.

2.8.10 Statistics and Knowledge Management

Adequate data collection processing and analysis for dissemination to support programming in the elimination of child labour. Managing and producing evidence-based data on the implementation, monitoring, evaluation and reporting of the National Action Plan.

III. POLICY IMPLEMENTATION

3.1 Specific Roles and Responsibilities for Stakeholders

3.1.1 Government

Government shall facilitate, monitor, review and enforce the provisions of this policy through FML&E in collaboration with social partners and other stakeholders.

3.1.1.1. Coordination:

The FML&E has mandate to coordinate the National Programme on the Elimination of Child Labour in the country through a multi- sectorial approach.

3.1.1.2 Legislation:

FML&E shall in collaboration with FMOJ advocate the National and State Houses of Assembly on the enactment and/or review of existing laws to adequately protect children in Nigeria from becoming victims of child labour, and to rescue and rehabilitate victims of child labour in Nigeria.

3.1.1.3 Judiciary:

The FMOJ, its parastatals (including the NHRC, Legal Aid Council) and the NBA shall collaborate with law enforcement agencies to ensure timely investigation and prosecution of all cases of child labour.

3.1.1.4 Enforcement:

The law enforcement agencies including the NPF, NIS, NCS, NAPTIP and NSCDC shall collaborate with other stakeholders to investigate reported and/or identified cases of child/forced labour, rescue victims and generally enforce relevant laws protecting citizens from economic exploitation.

3.1.1.5 Education:

The FML&E through FME shall advocate for:

- a. The review of civic education curriculum at the primary level to include child labour topics and support measures that contribute to the provision of quality education as the best alternative to discourage child labour practices;
- b. the provision of vocational opportunities for children who cannot learn in formal schools, and for school dropouts;
- c. The promotion of child participation (school clubs) within the school systems especially on sensitisation and awareness raising.

3.1.1.6 Child Development

The FMWA through its nationwide structure, capacities and facilities shall collaborate with the FML&E, and Implementing and Development Partners to ensure child development by:

- a. Identifying children who are either vulnerable to, or are victims of child labour.

- b. Actively facilitating public education, prevention, and the rescue, rehabilitation and reintegration of child/forced labour victims into the society.
- c. Facilitating the participation of mothers and caregivers in national economic empowerment, poverty eradication and family strengthening programmes as preventive measures to the practice of child/forced labour.

3.1.1.7 Advocacy

FML&E in collaboration with stakeholders shall adopt the use of high-level advocacy:

- a. To ensure policy makers at all levels of government and the private sector, sensitise, mobilize resources and support the implementation of sustainable child labour intervention programmes.
- b. To ensure national and state legislators place a ban on the use of, and trading in products from child labour activities in the country and secure sanctions against culprit organizations.

3.1.2 Employers' Associations

- a. NECA shall be responsible for domestication of this National Policy in their members' workplace policies, emphasizing their commitment towards implementing a code of corporate governance that prohibits child workers and child labour in the supply chain.

- b. Ensure prompt payment of staff salary and entitlements to prevent economic hardship that can make families vulnerable to child labour practices.
- c. Ensure welfare packages that consider children's education as a way of preventing child labour.
- d. Accord labour inspectors maximum cooperation while on inspection duties to their workplaces.
- e. Ensure that their procurement/supply chain of products, goods and services of their business enterprises shall not consist of any product derived from hazardous child labour activities.
- f. Provide accurate information about the age of staff in their employment on request to FML&E and other authorized Government MDAs.

3.1.3 Workers' Organizations

Trade unions shall be responsible for dissemination of the National Policy to their members and educate them on the content of the policy document, as a means of preventing the employment of children in their workplaces and communities.

3.1.3.1 Negotiation with Employers

Workers' organizations shall include child labour issues in collective bargaining agreements with employers, ensuring the protection of children from any work-related activities, including their up-

stream and down-stream processes and sub-contracts.

3.1.3.2 Social Responsibility

Workers' organizations shall influence government agencies to incorporate child labour clauses in all the licensing conditions for industrial units which need permits/licenses for business.

3.1.3.3 Occupational Safety and Health

Affiliates of workers' organizations shall create mechanisms for promoting and monitoring occupational safety, health, and welfare services in workplaces for children within the allowed working age.

3.1.3 Civil Society Organizations

3.1.3.1 NGOs

NGOs and their relevant networks shall explore their community presence and penetration to create awareness, conduct public education, support and build capacity of community structures to implement child labour interventions. They shall specifically:

- a. Implement, as service providers, the National Child Labour Eradication Programme.
- b. Design, plan and implement their action programmes in line with the NAP across the country.
- c. Provide the platform through which data will be collected on activities towards the elimination of child labour in the country at all levels of governance and programme implementation.

3.1.3.2 Faith Based Organizations

The FBOs shall facilitate the sensitisation of their adherents on the ills of child labour in the society and explore their wide reach to interact with the people to implement behavioral change interventions in all the states of the federation. They shall specifically:

- a. Create awareness, consult with, and conduct capacity building for religious leaders on issues of child/forced labour.
- b. Incorporate clauses on child labour in their organisational policies for adherents of their faith.
- c. Disseminate child labour messages to their adherents.
- d. Develop sermon notes with quotes that preach against practices of child abuse including child labour.

3.1.3.4 Community Based Organizations

CBOs shall actively engage community groups, households, and members to conduct the following in their areas of operation:

- a. Provide the platform for community-based child labour project design, planning and implementation.

- b. Create awareness, consult with and conduct capacity building for community leaders, workers and volunteers for implementation of child labour interventions.
- c. Facilitate formation and effective functioning of community driven child labour monitoring committees.
- d. Advocate for child labour free communities.

3.1.4 Media

The media, in collaboration with FML&E, shall provide the platform for creating awareness on the ills of child labour in the society and sustain the campaign as a matter of national importance. They shall specifically:

- a. Set the agenda for the implementation of policies and programmes on child labour.
- b. Disseminate information on child labour.
- c. Promote public debates on child labour events for sustained national awareness and actions.
- d. Be the watchdog and whistle-blowers of the society against perpetrators of child labour.

3.1.5 Academia and National Bureau of Statistics

The academia shall partner with the government and private sector to develop a research agenda on child labour for the country. In addition, they shall:

- a. Conduct research on child labour issues to enhance knowledge and learning.
- b. Provide a compilation of past studies on the phenomenon of child labour in the country and mechanisms for documentation of subsequent studies.
- c. T National Bureau of Statistics shall provide leadership in the collection, collation, analysis, and dissemination of data on child labour to enhance evidence-based decision making on child labour matters.
- d. NBS shall support the establishment of a sustainable monitoring and evaluation mechanism that will effectively track and report child/forced labour situations.

1.1.3 Development Partners

Relevant development partners shall collaborate with the FGN to domesticate the global agenda on the total elimination of child labour in the county in line with the National Vision and the country's adherence to Alliance 8.7. They shall:

- a. Partner with the FGN to build local capacities to implement child labour intervention programmes.
- b. Support implementing partners/agencies to carry out programmes on child labour interventions across the country.

- c. Provide technical and financial support to local initiatives to eradicate child labour in the country.

3.1.6 Children and Youth

To encourage child participation, the policy views children and youth as participants in their own protection against child labour. To this end, children and youth in the society shall organise themselves as advocates for the elimination of child/forced labour through:

- a. Awareness raising on the ills of child labour.
- b. Advocacy for child/youth friendly laws and policies.
- c. Creation of child/youth led advocacy associations committed to the eradication of child labour in the Nigerian society.
- d. Utilisation of the SCREAM approach to raise advocates, within the school setting.

IV: ELEMENTS OF THE POLICY

4.1 Scope

The provisions of the policy document shall apply to the following:

- a) All children, youths and women involved in child/forced labour initiatives and interventions in the country.
- b) All institutions and organisations in the public and private sectors, both formal and informal.
- c) All work places and contracts of employment including the informal sector and the self-employed.
- d) All employers and prospective employers from the public and private sectors, both formal and informal.
- e) All practices related to human resources that form part of the policy component of any organisation.
- f) All domestic forms of child labour.

4.2 Target Groups

Children

All children (irrespective of their gender, parental or social status), including children who are at risk of physical, emotional, sexual and other forms of abuses and denial of rights.

Others

Working children, youth and victims of child/forced labour, parents/guardians, relevant Government Ministries, Departments and Agencies at Federal, State and Local levels, employers of labour, trade unions, media, NGOs, CBOs, FBOs, Trade Associations, Market Associations, Professional Associations, CDAs/CDCs/Town Unions, social workers, community leaders/traditional rulers, teachers, political parties, International Development Agencies and other stakeholders.

4.3 Coordination

Rationale for Coordination

Government's commitment and ownership must be established for effective policy implementation through the Federal Ministry of Labour and Employment (FML&E) which has the statutory mandate for coordinating the implementation of national programmes on child labour. The CLU shall maintain mandate of its establishment as stipulated in the phase 1 of this policy. Thus, this

second phase focuses on the strengthening of the units.

Strengthening of Child Labour Unit and Desks Offices

The CLU as a unit in the Inspectorate Department of FML&E shall (be):

- i. Provided with a budget line under the FML&E annual budget appropriation.
- ii. Provided with human and material resources to coordinate activities at national, state and local levels.
- iii. Work closely with development partners on project planning and implementation in particular to create the enabling environment for vibrant national child labour programmes.
- iv. Train designated child labour officers for the purpose of coordinating child labour activities at the state levels.

4.4 Institutional Arrangement

The institutional arrangement as spelt out in the first phase of the policy remains relevant and is sustained in this second phase.

In line with ILO/IPEC's gold standard, steering committees on child labour already exist at national and state levels (and to be extended to the LGA level).

The CRA also provides for the constitution of Child Rights Implementation committees at national,

state and local levels. It is therefore desirable to encourage collaborations and integration of functions between these two institutional arrangements to promote ownership and enhance sustainability from national to the community levels.

4.4.1 National Level

National Steering Committee on Child Labour (NSCCL)

- a. The NSCCL shall be constituted by the Minister of Labour and Employment.
- b. Shall have as Chairman the Minister of Labour & Employment or a high-ranking officer of the ministry as may be delegated by the Minister.
- c. Membership shall comprise representatives of:
 - i. Ministries with mandates on welfare of children and the elimination of child labour,
 - ii. Employers' organisations;
 - iii. Workers' organisations;
 - iv. Non-governmental or other organisations active in the child labour field;
- d. ILO will participate in the NSCCL as an adviser.

The composition and review of the committee shall be based on the following criteria:

- a. Members of the committee are representatives of their organisations/sectors and should

have the seniority and authority to speak and make commitments for their organisations and institutions within their sectors;

- b. At least, one-third of the membership stated in 4.4.1 c categories “i-v” shall be reviewed by the committee and possibly changed every two years.
- C. Membership should be limited to a manageable number (12—15).

Ad-hoc Committees

In matters of operations of the NSCCL, ad-hoc sub-committees (based on areas of expertise) shall be constituted when deemed fit or in the event of an emergency related to child labour issues on a national scale that requires urgent attention.

Meeting Timetable

The NSCCL shall meet bi-annually to deliberate on updates, progress, emerging issues and reports on child labour and other relevant topics in the country as may be included in the agenda for such bi-annual meetings.

4.4.2. State Level

The SSCCL shall be established in accordance to guidelines to be provided by the FML&E and shall have the State Controller of Labour as Chairman;
Membership shall be categorised to comprise:

- i. State Ministries concerned with the welfare of children and the elimination of child labour,
- ii. State branches of employers' organisations,
- iii. State branches of workers' organisations,
- iv. Non-governmental or other organisations active in the field of child labour.

Linkages with existing multi sectorial structures for child protection in the respective states shall be encouraged.

Meeting Timetable

The SSCCL shall meet every quarter to deliberate on updates, progress, emerging issues, and reports on child labour in the states and other relevant topics as may be included in the agenda for such quarterly meetings.

4.4.3 LGA & Ward/Community Level

Linkages and collaborations shall be encouraged with existing structures such as the LGA Child Rights Implementation Committees and the Child Protection Networks. This approach aims at promoting system building and structure strengthening and on long term basis, effective grass-root involvement and ownership.

Mainstreaming State Steering Committee Child Labour (SSCCL) and Community Child Labour Monitoring Committees (CCLMC) into the State Child Rights Implementation Committee(SCRIC) and Child Protection Networks (CPN)

Members of SSCCL are to work together with the SCRIC and community leaders to select members of Community Child Labour Committee which shall:

- a. Not be more than between 8—10 in number;
- b. Include school teachers, religious leaders, front line health workers, social workers, and other relevant professionals in the locality.
- c. Mainstream the Community Child Labour Committee into the CPN of that locality.

4.3 Policy Implementation

The implementation of this policy is considered a priority to foster government’s commitment, people’s ownership, engagement of stakeholders, collaboration among implementing agencies and partnership with development institutions by making provisions for the following factors:

a) Resource Mobilization

This policy shall be implemented through cost effective measures including:

- i. The Federal, State and Local governments which shall make child labour a priority item for budgetary appropriation.

- ii. The Federal, State and Local governments in collaboration with the employers and trade unions organizations in all sectors, NGOs, international development agencies and individual philanthropies shall mobilize all available human and material resources, and participate fully in the fight against child labour, particularly its worst forms.
- iii. Funds allocated for the purpose of eliminating child labour are released on time and utilised equitably and judiciously, with high levels of accountability.
- iv. Facilitation of support for NGOs by coordinating bodies at the various levels of governance.

b). Sustainability

This policy shall be sustained through the following strategies:

- i. A well-equipped, functional, and fully funded CLU in the FML&E that shall be responsible for the coordination of government programmes on child labour.
- ii. Capacities of agencies and organisations handling child labour programmes shall be regularly strengthened.
- iii. Programmes and projects by stakeholders aimed at enhancing the elimination of child labour shall be developed and implemented.
- iv. Implementing agencies and all relevant stakeholders shall ensure that effective monitoring and evaluation processes are built into their programmes and projects.

- v. A sustainable child labour monitoring system shall be established and maintained for the development of a comprehensive databank on child labour in Nigeria.
- vi. Programmes and projects shall be regularly monitored and evaluated to achieve their desired goals.
- vii. Child labour desks shall be established and maintained within the structures of relevant MDAs and other stakeholders, including the media.
- viii. This policy document shall be reviewed every five (5) years by all stakeholders to assess the effectiveness and efficiency of the implementation of the provisions and guidelines and consideration of emerging issues.

c). Management Information System (MIS) & National Database

A Management Information System for National Child Labour programmes shall be established and maintained by the FML&E, consisting:

- i. Monitoring and reporting of routine data on child labour activities in the country and analyses of findings from research studies, national surveys, and special studies.
- ii. Routine child labour data shall be collected and reported for a set of global, national, and state-specific indicators from project sites and educational facilities by government officials (labour inspectors, child welfare/development officers etc.) and project staff of implementing partners.

- iii. Appropriate data recording and reporting tools shall be developed in a participatory process coordinated and disseminated to stakeholders by CLU of FML&E;
- iv. Reporting levels and data flow shall be in accordance to the institutional arrangements (see section 6.4) as described in this policy;
- v. Data collection, analysis, utilization of reports produced by records staff (M&E officer) at community, LGA, state and national levels shall be institutionalised;
- vi. FML&E (CLU) from time to time shall initiate localised and/or national research studies on key/emerging issues of child labour in the country;
- vii. FML&E shall provide support for all national surveys with child labour contents and participate actively to represent the interests of the national child labour programme;
- viii. Database applications for child/forced labour information management shall be developed by FML&E and deployed to all labour offices/units/offices of state and LGA and capacity of staff built to use and maintain it;
- ix. Guidelines on data management of child/forced labour data shall be developed and disseminated to all stakeholders by FML&E (CLU);
- x. Quarterly and annual reports on child/forced labour activities in the country and in each state of the federation and FCT shall be prepared and shared with stakeholders periodically.

- xi. Data on child/forced labour shall be incorporated and disaggregated by the National Bureau of Statistics.

ii). Policy Implementation, Monitoring and Review

- i. The coordination of the implementation of this policy shall be the responsibility of the FML&E, in collaboration with the NSCCL.
- ii. FML&E, NSCCL & SSCCL in their respective coordinating capacities shall ensure dissemination of this policy, hold fora to interpret and educate stakeholders and the general public on the contents and application of the policy.
- iii. A plan for monitoring and review of the implementation of this policy shall be developed by FML&E (CLU) and shared with stakeholders for action.
- iv. At national and state levels NSCCL and SSCCL members shall perform oversight functions on progress made in the implementation of this policy on annual basis, through submission of progress reports to FML&E (CLU).
- v. An annual review meeting of the policy implementation shall be organized in collaboration with NSCCL to share best practices and highlight emerging issues for consideration.

APPENDIX

Appendix 1: Existing Legal Framework for Elimination of Child Labour in Nigeria.

National Policies

1. National Policy on Population
2. National Policy on Health
3. National Policy on Occupational Safety and Health
4. National Policy on Social Development
5. National Policy on Women
6. National Policy on HIV/AIDS
7. National Workplace Policy on HIV/AIDS
8. National Policy on Environment
9. National Policy on Employment
10. National Policy on Education
11. National Policy on Youth Development

12. National Child Policy
13. National Policy on Culture and Ethics
14. National Policy on Protection and Assistance to Trafficked Persons in Nigeria
15. National Policy on Labour Migration
16. National Migration Policy
17. National Social Protection Policy
18. National Policy on Guidance and Counselling
19. National Policy on Almajiri.

National Laws

1. The Constitution of the Federal Republic of Nigeria (1999)
2. Labour Act, Cap L1, LFN, 2004
3. Factories Act, Cap F1, LFN, 2004
4. Trade Unions Act, Cap T8, LFN, 2004
5. Employee's Compensation Act, 2010.

6. Childs' Rights Act (2003)
7. Trafficking in Persons (Prohibition) Enforcement and Administration Act (2015)
8. Universal Basic Education Act (1999)
9. National Pension Act (2004) as amended 2011
10. Violence against Persons Prohibition Act 2015
11. Disability Act 2019
12. Criminal Code (South)
13. Penal Code (North)
14. Cybercrime Act 2015
15. Administration of Criminal Justice Act 2015.

Regional Policies

1. ECOWAS Child Policy and Strategic Plan of Action
2. ECOWAS Youth Policy and Strategic Plan of Action
3. ECOWAS Regional Action Plan for the Elimination of Child Labour

4. ECOWAS Treaty on the Right and Welfare of the Child
5. ECOWAS Strategic Framework for the Child Protection Systems Strengthening and its Guidelines
6. Regional Labour and Employment Policy.

International Conventions

1. United Nations Convention on the Rights of the Child (1989)
2. Universal Declaration of Human Rights (1948)
3. International Labour Organization Convention No 29 (1930) on Forced Labour
4. ILO Convention No. 105 (1957) on Abolition of Forced Labour
5. ILO Convention No. 138 (1973) on Minimum Age
6. ILO Convention No. 182 (1999) on the Elimination of Worst Forms of Child Labour
7. Protocol on Forced Labour 2014
8. ILO Convention No. 189 (2011) on Domestic Workers
9. African Charter on the Rights and Welfare of the Child(1989)
10. Convention on the Elimination of all Forms of Discrimination against women (1979) CEDAW.



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