



FEDERAL GOVERNMENT OF NIGERIA

COUNTRY REPORT ON VIOLENCE AGAINST CHILDREN

BY

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ACRONYMS

ANPPCAN	African Network For The Prevention And Protection Against Child Abuse And Neglect
AWEG	African Women Empowerment Group
CEDAW	Convention On The Elimination Of All Forms Of Discrimination Against Women
CRA	Child Rights Act, 2003
CRAGON	Child Rights Advocacy Group Of Nigeria
CRC	Convention On The Rights Of The Child
ECOWAS	Economic Community Of West African States
FCT	Federal Capital Territory
FGM	Female Genital Mutilation
FGN	Federal Government Of Nigeria
FMOH	Federal Ministry Of Health
FMWA	Federal Ministry Of Women Affairs
FOS	Federal Office Of Statistics
ILO	International Labour Organization
IOM	International Organization For Migration
IPEC	International Programme On The Elimination Of Child Labour
NA	National Assembly (Lawmaking Body)
NACCRRAN	National Council of Child Rights Advocates of Nigeria
NAPTIP	National Agency For Prohibition Of Traffic In Persons And Other Related Matters
NDE	National Directorate For Employment
NGOS	Non-Governmental Organizations
NHRC	National Human Rights Commission
NTA	Nigerian Television Authority
PPFN	Planned Parenthood Federation Of Nigeria
TBA	Traditional Birth Attendant
UBE	Universal Basic Education
UNAIDS	United Nations AIDS Programme
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children Fund
UNIFEM	United Nations Development Fund For Women
VVF	Vesico Virginal Fistula
WOTCLEF	Women Trafficking and Child Labour Eradication Foundation
YAGECHRI	Young Alliance for Global Enforcement of Children and Human Rights

INTRODUCTION

Nigeria as a member of the UN and a State Party to the Convention on the Rights of the Child welcomes the 2001 General Assembly Resolution 57/190 which requested the Secretary General to conduct an in-depth study on the question of violence against children. Further, Nigeria welcomes the Secretary General's appointment of an independent expert to direct the study in collaboration with the office of the High Commissioner for Human Rights, UNICEF and WHO.

It is against this background that this report/study seeks to highlight not only the general and specific legislative, institutional, policy and administrative measures adopted in addressing various forms of violence against children but also the short and long term strategies to provide care, rehabilitation and reintegration of child victims, as well as the difficulties encountered in data collection, analysis, research and proper documentation of the magnitude, incidence and consequences of various types of violence against children in Nigeria.

Accordingly, this report/study surveys legal and institutional measures that aim at protecting children against various forms of violence in Nigeria. It also provides examples of good practices and innovative approaches to addressing all forms of violence against children and outlines the roles of civil society and government in providing preventive, rehabilitative and reintegrative measures in favor of child victims of sexual exploitation.

It is hoped that the independent expert will appreciate Nigeria's contribution in addressing violence against children.

Part 1: Legal Framework

1. International human rights instruments in respect to violence against children

Since the ratification of the United Nations Convention on the Rights of the Child (CRC), the AU Charter on the Rights and Welfare of the Child and other relevant international instruments, Nigeria has instituted various legislative and institutional measures at both the Federal and State levels, aimed at addressing various forms of violence against children; some recently enacted legislations include:-

- The Child's Rights Act (CRA) 2003;
- Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003;
- Ebonyi State Law No. 010 (2001) on the Abolition of Harmful Traditional Practices Against Children and Women;
- Edo State Female Genital Mutilation (Prohibition) Law 2002;
- Edo State Criminal Code Amendment Law 2000;
- Bauchi State Hawking by Children (Prohibition) Edict of 1985 CAP 58;
- Cross River State Girl Child Marriages and Female Circumcision (Prohibition) Law 2000;
- The Sharia Penal Codes of Zamfara, Kano, Kebbi, Kaduna and Sokoto States of Nigeria equally protect children against various forms of physical and psychological violence.

The Government of Nigeria has also evolved some institutions charged with child protection issues including protection against violence. These include:

- National and State Child Rights Implementation Committees;
- Child Development Departments in the Federal and State Ministries of Women Affairs.
- National Council of Child Rights Advocates of Nigeria (NACCRAN) as the umbrella NGO involved in Child Rights advocacy;
- Nigerian Children's Parliament, inaugurated by the President of Nigeria
- National Agency for the Prohibiting of Traffic in Persons

At the time of this study/report there is no available information concerning reference to any International or Regional Human Rights standard by any court or tribunal on violence against children in Nigeria.

2. Legal provisions on violence against children.

Various forms of violence have been addressed under the Nigerian Legal System. First, **Section 17(3)** of the **1999 Constitution** provides that the States shall direct its policy towards ensuring that:

- All citizens (children inclusive), without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment;
- Conditions of work are just, humane, and that there are adequate facilities for leisure, social, religious and cultural life;
- The health, safety and welfare of all persons in employment (children inclusive) are safeguarded and not endangered or abused;
- That there are adequate medical and health facilities for all persons;
- That there is equal pay for equal work without discrimination on any account of sex, or any other ground whatsoever;
- That children and young persons are protected against any form of exploitation whatsoever, and against any moral or material neglect.

In addition to the above Constitutional provision, there are also provisions of Federal and State legislations that seek to address other forms of violence against children. The **CRA 2003** under **Sections 21- 40** provides for the protection of children against discriminatory, harmful and exploitative practices. These include the prohibition of child marriage, child betrothal, infliction of skin marks, abduction, forced, exploitative, and hazardous child labour, child hawking, begging for alms, prostitution, unlawful sexual intercourse and other forms of sexual abuse and exploitation prejudicial to the welfare of the child.

The CRA further prohibits recruitment of children into the Armed Forces of Nigeria, and importation of harmful publication which portray information on commission of crimes, acts of violence, obscene, immoral and indecent publications which tend to corrupt or deprave a child.

Then the Sharia Penal Codes of Zamfara, Kano, Kaduna, Kebbi and Sokoto States equally protect children and young persons by providing for punishment for the crimes of injuries to unborn children, exposure of infants to danger, cruelty to children, any concealment of births, kidnapping of children and young persons, abduction of children and young persons, sexual exploitation of and trafficking in the girl child as well as forced labour.

3. Specific legislative provisions on prevention, protection, and redress.

Sections 50-52 of the **CRA 2003** provide for the protection of children in need of care and against physical or moral danger and empowers “*a child development or police officer or any other authorized person to bring a child in need of care and protection before a court for a corrective order, if he has reasonable grounds for believing that the child is an orphan or is deserted by his relatives, neglected, ill-treated or battered by his parent or guardian or custodian, or found destitute, wandering, homeless or surviving parent undergoing imprisonment, mentally disordered, or otherwise severally handicapped; or found begging for alms, or in company of a reputed/or common thief or prostitute, or otherwise beyond parental control or exposed to moral or physical danger.*”

Sections 21-40 of the same Act provide for the protection of the rights of the child through the prohibition of :- child marriage, child betrothal, infliction of tattoos and skin marks, exposure to use, production, trafficking, of drugs and other psychotropic substances, use of children in any criminal activity, abduction and unlawful removal and transfer of a child from lawful custody, forced, exploitative

or hazardous child labour, including employment of children as domestic helps outside their own home or family environment.

The **Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003** provides for the prohibition and prescription of punishment for traffic in persons, particularly women and children. It also establishes a **National Agency for the Prohibition of Traffic in Persons and other Related Matters (NAPPTP)** vesting it with the responsibility for investigation and prosecution of offenders thereof and the counseling and rehabilitation of trafficked persons.

It provides for the protection of trafficked persons, informants and information in the course of investigation in respect of an offence committed or likely to be committed.

The **Anti-Trafficking Act** provides for penalties for breach of the provisions of the Act. **Section 32 of the Act** provides that any tour operator, travel agent or airline who violates the provisions of **Sections 30 and 31** relating to aiding or abetting, facilitating or promoting in anyway the traffic in any person (including children and women) commits an offence and is liable on conviction to a fine penalty not exceeding two hundred thousand Naira and is also liable to forfeiture of passport. Besides, any law enforcement officer can search, seize and arrest any aircraft, vehicle or container reasonably believed to be used for trafficking in persons.

Its **Section 28** further provides that where a body corporate is convicted of an offence of trafficking or aiding in trafficking it shall be liable to a fine of **Two million Naira** and forfeiture of assets and closure of the body corporate.

Finally, **Section 29** provides that any commercial carrier who knowingly carries any person in violation of this Act commits an offence and is liable on conviction to imprisonment for two years or a fine of **Two million Naira**.

4. Specific Legislative provision addressing all forms of violence.

The **CRA, 2003** has made a fair attempt under **Parts III, IV, V and VI** to address all forms of violence against children including physical, sexual and psychological as well as emotional violence, injury or abuse, neglect or negligent treatment which takes place in the family, home, school, neighborhood, workplace, street and the community, among others.

5. Provision on corporal punishment of children in various settings.

The **CRA 2003** in **Section 221 (1) clause (b)** provides that *"no child shall be ordered to be subjected to corporal punishment"*. Under the Nigerian legal system there is no specific provision for the punishment of those who administer corporal punishment to children. However, in the light of the above provision of the **CRA** such an act now constitutes an assault or battery or causing grievous harm to the child.

6. Information on permissibility of corporal and capital punishment.

Section 221 of the **CRA** explicitly prohibits the imposition of corporal or capital punishment or imprisonment on any person below the age of 18 years. However, existing **Penal and Criminal Codes** operative in all the States of Nigeria provide for capital punishment and corporal punishment as sentences for crimes committed by any person in Nigeria. Hence capital punishment is constitutional in Nigeria if it is based on the order of a competent Court of law. Accordingly, the existing Criminal and Penal Codes are yet to be reviewed to be consistent with the **CRA 2003** even as the **CRA** overrides any other legislative provisions inconsistent with it.

7. Legislation on bullying / hazing and sexual harassment.

At the time of this study there is no existing legislation provision that explicitly prohibits bullying, hazing and sexual harassment in Nigeria. However, the National Legislative Assembly is considering a Bill on violence against women which seeks to Prohibit Violence against Women and the girl child. In this Bill, sexual harassment and intimidation are considered as acts of violence against the girl child.

8. Ways of addressing harmful or violent traditional practices.

The CRA 2003, in Part III protects children against discriminatory, harmful and exploitative practices. Specifically, Section 21 prohibits child marriage and provides punishment for those who violate this provision and there is liability on conviction to a fine of five hundred thousand naira or five years imprisonment or to both.

In respect of Female Genital Mutilation (FGM) there is a **National Policy and Plan of Action on the Elimination of FGM in Nigeria** passed in October, 2002. This Policy views FGM as a form of violence against the girl child and an infringement on children's right to life, health, human dignity and integrity.

This policy further provides that FGM can be eradicated with the help of all the levels of government in collaboration with traditional rulers, women leaders, community and religious leaders, traditional birth attendants and NGOs working on the subject. Various States in Nigeria have also enacted legislations prohibiting FGM and other harmful practices that constitute violence against children.

9. Specific provisions addressing all forms of violence against children

There are a few applicable provisions and measures to address all forms of violence against refugees, asylum seeking and displaced children. **The African Charter on Human and Peoples Rights Cap 10 Laws of the Federation of Nigeria (LFN) 1990** makes provisions for the care and rehabilitation of refugees, especially those affected by conflicts and the nation has over the years, provided refuge for such people from various conflict areas of Africa.

People affected by natural disasters and economic problems are also similarly accommodated. Refugees and internally displaced persons are catered for by such institutions as the International Red Cross and Red Crescent Societies, the Salvation Army, NGOs, National Emergency Management Agency (NEMA), State Emergency Relief Agencies (SERA), as well as other institutional response agencies like the Search and Rescue Unit of the Armed Forces and of the Nigeria Police Force.

In cases of domestic conflicts, such as communal clashes, riots and religious violence, the civilian population including children, are usually protected by the deployment of police personnel, and in extreme circumstances, military personnel.

Psychological, post-traumatic and humanitarian assistance are given to child victims of armed conflict or violence by the combined efforts of Government, NGOs and International Agencies. As at the time of this study, there is no available data on such children who had received physical and psychological treatment during the sporadic armed conflicts that had erupted in some States of the Federation.

10. Differences in definition and applicable legal framework.

There is no available information on the applicable legal framework in this context. However, the Bill on Violence against Women has made an attempt to define violence any physical, sexual, psychological or emotional and economic violence occurring in the family, workplace, and in the community.

11. Recent comprehensive review of the legal framework to address violence against children

In Nigeria today, **Parts III – V of the CRA 2003 and Sections 13-15 of the Anti Trafficking Law** are the most recent comprehensive review of the legal framework to address violence against children.

12. Studies and surveys undertaken to assess the impact of legal measures to address violence against children.

In the last five years in Nigeria, there has not been any survey or studies undertaken to assess generally, the impact of legal measures to address violence against Children. However, there have been a number of studies on violence against children that highlighted the impact of some of the legal measures. The studies/surveys include:

- UNICEF and the Federal Government of Nigeria's *Children and Women's Rights in Nigeria; A Wake - Up Call (SAA)2001*
- UNICEF Pilot Study on *Child Trafficking in the Southern Border Towns of Nigeria (1999)*

- Federal Ministry of Women Affairs Abuja: *National Survey on Sexual exploitation of children in Nigeria (2001)*
- OLOKO S.B.A: *Child Work and Child Labour in Nigeria: Continuities and Transformation, University of Lagos Press (2003)*
- LADAN M. T. *Women and Children's Rights under the Sharia Justice system in Nigeria and the practice of Muslim world, ABU Zaria (2003), and*
- UNICEF and FGN (2002); *Child Trafficking in Nigeria: - Country Report Analysis of Nigeria's response to the Libreville Platform of Action. (2000)*

13. Court structures that address violence against children.

The CRA 2003, provides for family courts which will operate at the High Court and Magisterial levels, and have been vested with the jurisdiction to hear all cases in which the existence of a legal right, power, duty, liability, privilege, interest, obligation or claim in respect of a child is in issue, or any criminal proceedings relating to any offence committed by a child.

14. Minimum age for sexual activity

Under the CRA 2003, the age of legal majority for all purposes irrespective of gender has been fixed at eighteen (18) years including the issue of consent to marriage or sexual activity. The law is not in respect of heterosexual and homosexual activities.

15. Minimum age of marriage

On the minimum age of marriage for women and men, the CRA 2003 prohibits marriage by any person below the age of eighteen (18) years.

16. Legislative and other measures to prevent sexual exploitation of children

The CRA 2003 in **Part III** provides for the protection of the rights of children through the prohibition of all forms of discriminatory, harmful and exploitative practices such as forced, exploitative or hazardous child labour, child hawking, begging for alms, prostitution, unlawful sexual intercourse, other forms of sexual abuse and exploitation prejudicial to the welfare of the child in Nigeria.

17 & 18 Legislative and other measures to protect children from pornography and harmful information

Part III of the CRA prohibits the importation of harmful publications which portray information such as the commission of crimes, acts of violence, obscene, immoral and indecent representations which tend to corrupt or deprave a child. It also seeks to protect Nigerian children by the prohibition of any harmful publication or any photographic film or any plate thereof which aims at corrupting the morals of children in Nigeria. This provision seeks to cover materials transmitted through the media, internet, videos, electronic games etc.

19. Legislation, regulations and administrative directives reporting all forms of violence against children.

The **National Human Rights Commission** of Nigeria established by **Decree No. 22 of 1995** is mandated to promote, protect, investigate and monitor human rights violation as well as receive and treats complaints from citizens including children about violations of their rights.

Accordingly, the Commission in year 2000 appointed a special rapporteur on children, to assist and redress injuries to child victims of all forms of human rights violations. Under the complaint procedure of the commission, every citizen or group, including NGOs, can lodge a complaint seeking redress and legal assistance from the Commission. There is no provision for any sanctions for non-reporting.

20. Complaints procedure relating to all forms of violence against children in various settings.

The CRA, 2003 under **Parts IV and V** provides for complaint procedures relating to all forms of violence against children perpetrated in the family, home, schools, institutions, workplace, etc, under its additional child protection measures through civil and welfare proceedings.

21. Accessibility and availability of legal aid facility.

Under the Nigerian Constitution the National Assembly is mandated to ensure that Legal aid and financial assistance is available to all indigent citizens (children inclusive) to facilitate submission of complaints and in seeking redress. In addition the **Legal Aid Act of 1976** provides for legal assistance and services to poor citizens charged with the commission of capital offences in Nigeria. It establishes the **National Legal Aid Council** and charges it with the responsibility earlier mentioned.

22. Awareness on submission of complains about violence against children.

The Federal Ministry of Women Affairs in collaboration with the Federal Ministries of Information and Education as well as some NGOs have embarked upon sensitization and mass public enlightenment campaigns, about the dangers of violence against children and measures to prevent and control such acts through advocacy and visits to stakeholders at community level, and through the media.

23. Special procedure or evidentiary rules in proceedings with reference to violence against children.

There are no special procedural or evidential rules applicable in this regard. However, the **Evidence Act** encourages discrimination against children by insisting on corroboration of evidence to that of the child victim of rape as a form of violence. The implication here is that there can be no conviction for raping a child without such corroboration.

24. Outcome of complaints of violence against children.

Under the Nigerian Criminal Justice System perpetrators of physical violence against children are subject to the punishment of imprisonment or fine or both. This punishment is in respect of sexual and allied crimes of rape, indecent assault, etc under both the **Criminal Penal and Sharia Codes** applicable in all the States of Nigeria. Further, both the CRA 2003 and the Trafficking in Persons Act, 2003 provide for the rehabilitation and victim assistance in respect of trafficked children and women.

25. Outcome of legal proceedings in respect of juvenile offenders.

Under the various **Criminal and Penal Codes** as well as the **Children and Young Persons Laws**, children in conflict with the law or juvenile offenders are liable to various forms of punishment ranging from committal to remand homes or Borstal training homes for vocational training, rehabilitation and reformation programmes before release. This depends on the nature and gravity of the offence in question.

PART II: Institutional Framework and Resources To Address Violence Against Children.

26 &27. Government authorities responsible for addressing various forms of violence against children.

In Nigeria the following Governmental authorities are responsible for addressing various forms of violence against children:

- Special Presidential Committee on Human Trafficking, Child Labour and Slavery.
- Federal Ministry of Women Affairs
- Federal Ministry of Labour and Productivity
- Federal Ministry of Justice
- Federal Ministry of Information and National Orientation
- Nigeria Immigration Service
- Nigeria Customs Service
- National Boundary Commission
- The Nigerian Police Commission

The coordination and monitoring of all issues and activities addressing violence against children lies essentially in the office of the President of Nigeria and overseen by Office of a **Special Adviser and Special Presidential Committee on Human Trafficking, Child Labour and Slavery.**

28. Financial and human resources allocated to address violence generally.

As at the time of this study there is no available information on the total financial or human resources allocated to address violence generally.

29. Special financial and human resources allocated to address violence against children.

At the time of this study there is no available information on specific country financial allocation or human resources to activities aimed at addressing violence against children. However, the **Anti Trafficking Act 2003** permits the **National Trafficking Agency (NAPTIP)** to seek for budgetary allocation and approval from the **National Assembly**, to accept gifts of land, money and other property and to borrow money from Banks with a view to carrying out the activities and objectives of the Agency under the Law.

30. International and bilateral donors

The following international and bilateral donors do provide resources for activities to address violence against children in Nigeria.

- UNICEF
- UNIFEM
- UNODC
- ECOWAS
- WORLD BANK
- USAID
- ILO
- Embassies of Belgium, Italy, Britain, the Netherlands and USA.

31. Assistance to other Countries efforts in respect of violence against children.

Nigeria has signed bilateral agreements with countries addressing the issue of trafficking regionally and globally. These include ECOWAS countries like Ghana, Gambia Benin, Gabon, Togo, Cameroon, Equatorial Guinea, and others like Britain, the Netherlands, Italy, Saudi Arabia, Belgium and the USA among others.

32. National Human Rights institutions.

The **National Human Rights Commission** based in Abuja has the mandate and competence to receive and treat complaints in the area of children's rights violation including all sorts of violence against children. This is done through the office of the **Special Rapportuer on Children**, which was established in year 2000 and charged with the responsibility of monitoring, investigating, conducting researches and providing legal assistance to child victims of violence and human rights abuse.

33. Special national and state legislative assembly committees addressing violence against children.

There are special **National and State Legislative Assembly Committees on Women and Children Matters** including human rights. These Committees are responsible for addressing issues of violence against children in Nigeria both at the National Assembly and in all the 36 State Houses of Assembly.

34. Recent parliamentary initiatives to address violence against children.

The most recent parliamentary initiative to address violence against children was the passage into law of the **Child Rights Act 2003**.

Part III. Role of Civil Society in Addressing Violence against Children.

35. Contribution of civil society in advocacy

The contribution of Civil Society Organizations and groups in advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, and provision of resources, in Nigeria cannot be overemphasized.

In view of their closeness to the grassroots, ability to network, capacity for advocacy and sensitization as well as data generation, the Nigerian coalition of NGOs on child's rights provide the expertise and technical competence for policy formulation and assimilation into mainstream governmental plans. They also influence legislative reforms and resource allocation.

Some of the institutions, groups and Non-Governmental Organizations that play active roles in addressing violence against children include:

- Women Trafficking and Child Labour Eradication Foundation (WOTCLEF)
- African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN) Nigeria Chapter.
- Idia Renaissance,
- Heart Land Child Care Foundation
- Child Life – Line (CLL)
- Children's Rights Advocacy Group of Nigeria (CRAGON)
- Girls' Power Initiative
- The Nigerian Children's Parliament
- Galilee Foundation
- Mectel Consult and Adolescent Development Initiative
- African Women Empowerment Group (AWEG)
- National Council of Child Rights Advocates of Nigeria (NACCRAN)
- National Council of Women Societies
- Faith Based Organizations

The research conducted by **ANPPCAN** in 2000 on behalf of the **ILO** has become a baseline reference material on child trafficking in Nigeria. The research provided figures of children who experienced sexual exploitation in Nigeria.

In another research conducted in 2003 on behalf of UNICEF and the Federal Government of Nigeria, in **ANPPCAN**'s Child Rights monitoring centers located at Enugu and Port-Harcourt, the result of focus group discussions showed that cases of sexual abuse ranked high in the computation of level violence against children..

WOTCLEF, which is spearheading the struggle against human trafficking, child labour and sexual exploitation of children has organized several national and international conferences calling the attention of individuals and governments to the problem of trafficking of women and children into labour and prostitution. The NGO currently runs a shelter and an apprenticeship training school for the rehabilitation of trafficked girls.

The Heartland Child Care Foundation based in Imo State uses advocacy strategies to fight the spread of trafficking and dissuade parents from collaborating with agents to traffic their children.

Idia Renaissance has responded to the rising incidence of drug abuse, drug trafficking, cultism on campuses and prostitution

Other NGOs and groups involved in data collection, advocacy, campaigns, mobilizations, rehabilitation, treatment and provision of services to children harmed by violence, include: **Child Life-Line, Women's Consortium of Nigeria, Children's Rights Advocacy Group of Nigeria (CRAGON), Idia Renaissance, Children's Parliament, and Faith Based Organizations (FBOs).**

Presently there is a coalition of NGOs called the **National Council Child Rights Advocate of Nigeria (NACCRAN)**, which works through various means to monitor the legislation, policies and development of services for the Nigerian child.

36. Support of Government

The Nigerian Government has provided an enabling environment and support for the Civil Society Organizations (CSOs) to thrive, and do extensively draw from their findings and researches to formulate policies, programmes and interventions for child victims of abuse and violence. The government did give support through subventions and others in the active role being played by the CSOs in the prevention, protection and recovery of child victims of violence.

Apart from the above, and the governments adoption and ratification of related Conventions, it has also established **Child Rights Implementation and Monitoring Committees** at national and sub-national levels with the CSOs being active members; undertaken studies on the sexual exploitation of children in collaboration with development partners; set up the Presidential Committee on Human Trafficking; established drop-in-centers for rehabilitation of sexually abused child victims; and finally promulgated into Law the **Child's Rights Act 2003** .

In addition the Federal Government, through the **Federal Ministry of Women Affairs**, undertakes the sensitization meetings for directors of the Child Development Departments at Federal and State levels to review and harmonize efforts to tackle child labour and trafficking; and the distribution of the Convention on the Rights of the Child which has been simplified and translated into three major Nigerian languages (Yoruba, Igbo and Hausa).

Nigeria has signed bilateral agreements with countries addressing the issue of trafficking regionally and globally. These include ECOWAS countries like Ghana, Gambia Benin, Gabon, Togo, Cameroon, Equatorial Guinea, and others like Britain, the Netherlands, Italy, Saudi Arabia, Belgium and the USA among others.

Other approaches to the problem include functional membership of Interpol and massive sensitization through workshops. In all these activities, Civil Society Organization through collaboration and networking provide the expertise and technical know-how for a smooth implementation.

37 Role of the mass media

The Nigerian electronic and print media have continued persistently and relentlessly to carry out advocacy programmes on issues dealing with the rights, welfare and protection of children through articulate and provocative publications that have influenced behavioral changes, programmes and interventions for child victims of abuse and violence.

Most recently, a joint monitoring committee/advocacy group made up of executives of the mass media, CSOs, NGOs, child's rights activist, legislators, judicial/law enforcement officers, academicians and Government officials was formed to push for the passage of the **Child's Right Act** at the National Assembly and eventually its promulgation into law. The Group is currently advocating for the adoption of the Act as State Laws in the 36 States of the Federation.

Part IV: Children as Actors in Addressing Violence

38. Involvement of Children

There is an increased awareness by the civil society and government of Nigeria on the idea of involving and consulting with children in designing, implementing and monitoring of programmes and policies on all issues that concern them. The Nigerian government has taken many initiatives and supported many programmes organized by and for children including addressing of violence against children. The table below shows the development and some activities of the Nigerian Children's Parliament.

Action	Partners involved	Extent of children's involvement	Number of children involved	Age range/ scope of activity	Out comes
The formal inauguration of the Children's Parliament year 2002	The Presidency, Federal Ministry of Women Affairs, other line Ministries, UNICEF, and children	Children were facilitators during the syndicate group discussions. Children's Parliament had a sitting before the President and his Cabinet Members, the National Assembly and the entire nation as the event was aired live by the Nigerian Television Authority.	2000 – 3000 drawn from the 36 states of the country and the Federal Capital Territory	7 – 18	The Nigerian Children's Parliament evolved into the most powerful symbol of child participation and representation in the country with a high capacity for advocating for the most visible changes in the lives of children
ISPCAN/ANPPCAN Regional Conference on Child Abuse and Neglect, 2004	UNICEF, ISPCAN, ANPPCAN, Federal Government of Nigeria, Enugu State Government, Nigerian Children's Parliament,	Children were members of the sub-committee on children's forum of the Local Organizing Committee There was a parallel children's forum to discuss issues of child abuse and neglect. At the opening ceremony children were facilitators/entertainers	About 500 children participated in the opening ceremony. About 50 children took part in the planning. About 150 children took part in the deliberations which were led by the key officers of the Nigerian Children's Parliament.	7-18 years	Children's Communiqué which speaks against all form of child abuse and neglect. An appeal was made to traditional rulers on the eradication of child trafficking and the abolition of harmful traditional practices.
Advocacy for the Passage of the Child's Rights Act, 2003	FMWA, National Human Rights Commission, UNICEF and Nigerian Children's Parliament	Children were involved in developing strategies to ensure the passage of the Bill. They mustered their collective technical resources by developing working papers and support documents for both the media briefing and the stakeholders' forum led by their Senate President, paid courtesy visits to relevant members of the National Assembly and more interestingly were allowed into the chambers during the final sitting for the Bill.	25 children were involved in the whole process at the National Level.	8 – 18 National	The presence of the children inside the chambers reduced the usual rigorous opposition of the members in their deliberations, which fast tracked the passage of the Bill. Their presentations especially the one done by the physically challenged children touched the hearts of the legislators and other stakeholders.

Young Alliance for Global Enforcement of Children and Human Rights Partnership for Visible Change Forum	Borno State Government, Ebonyi State Government, YGE CHRI Nigerian Children Parliament Redeemed Christian Church of God, British Council	Children who are members of various Child Friendly Bodies were trained on advocacy leadership network ship. It was planed by children	8 children were involved in the planning, 300 participated	8 – 18 International	Induction of 150 Nigerian representatives to the Young Alliance for Global Enforcement of Children and Human Rights (YAGECHRI).
Global March Against Child Labour	State Governments, UNICEF ILO/IPEC, Children's Parliament	Children marched and rallied round the major city with support from the mentioned implementing partners and had the foot prints of various policy makers traced on cardboard papers as an affirmation to their commitments in stamping out child labour	Children were advocates for themselves which helped to expand their appreciation for Child Rights and related issues	About 300 children aged 8 – 18	Increased public awareness on the need to eradicate all forms of hazardous child labor.

39. The Nigerian Children's Parliament.

Children participated at the National Conference on Juvenile Justice Administration where they made presentations and contributed to the deliberations, asking the invited stakeholders to ensure that children in conflict with the law should be dealt with, by rehabilitation and re-integration as a primary strategy. Some of the children's recommendations were considered in the communiqué.

40. Funding of Children's participation

Development partners in the country have been involved in financing the various projects of the Nigerian Children's Parliament; the Federal Ministry of Women Affairs has organized various events and has also supported children's participation. The Ministry gave financial support to the Nigerian Children's Parliament's delegation to the ISPCAN/ANPPCAN Conference.

PART V: Policies and Programmes to Address Violence Against Children

41. Comprehensive policy on violence against children.

There is no comprehensive policy on violence against children. However, the **Childs Right Act (CRA) 2003** has provisions prohibiting all aspects of child abuse, violence against children and child neglect. The Act also provides for counseling and rehabilitation of children as well as the prosecution of culprits of violence against children.

In addition, there are various policy and legal frameworks addressing specific areas of violence against children. These include:

- The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003
- National Policy and Plan of Action on elimination of Female Genital Mutilation in Nigeria (2002).
- Ebonyi State Law 010 (2001) on the Abolition of Harmful Traditional Practices Against Women and Children.
- Edo State Female Genital Mutilation (FGM) Prohibition Law (2000)
- Bauchi State Hawking by Children (Prohibition) Edict (1985)

- Cross River State Girl-Child Marriage and Female Circumcision (Prohibition) Law 2000

All these legal provisions encapsulate policy directives and best practices concerning violence against children.

42 Policies and programmes to address violence against children.

42.1 Family/Home level: Section 11 (a) of the **Childs Right's Act 2003** states that “ *No child shall be subjected to physical, mental or emotional injury, abuse, neglect, or maltreatment including sexual abuse*”. **Sub-Section (b)** also protects the child from torture, inhuman or degrading treatment or punishment

42.2 School level: Government has prohibited the practice of corporal punishment on school children. Also, Government has put in place stringent measures to curb the occurrence of sexual abuse of children in schools. **Section 32 sub sections (1) & (2)** of the CRA provides a penalty of 14 years imprisonment for persons who sexually abuse or sexually exploits children in any manner.

The Universal Basic Education programme aims at giving every child the right to go to school. The campaign by government on Girl- Child Education is also aimed at encouraging the girl child especially in the Northern part of the country to enroll in schools; e.g. Bauchi State has passed a Law prohibiting withdrawal of girls from school for marriage. Also, the Cross River State recently passed a Bill outlawing child marriage and female circumcision. Anambra State has banned children hawking during school hours, and most recently passed its own **Childs Right's Law**.

42.3 Institutional level: the existence of the Child Development Department of the FMWA as the coordinating body on all issues relating to children is the first step in arresting the violence against children, while the promulgation of the **Child's Rights Act 2003** and the domesticating of the Convention on the Right of the Child are such giant steps taken towards arresting the cases of violence against children

42.4. Neighborhood / Community level:

Courtesy calls and advocacy visits are being organized by a coalition of government officials, international agencies, CSOs, NGOs and members of the children's parliament to traditional rulers, community leaders, house hold heads and gate keepers, to sensitize and create behavioral changes and attitudes towards traditional practices harmful to children (especially the girl child), and on violence against children plus the pandemic nature of HIV/AIDS.

Parents are being urged through the media to respect the survival and developmental rights of children, to curb use of children as hawkers or laborers and to give them sexual education

42.5. Law Enforcement: The enactment of the Child's Rights Act 2003 has provided a legal framework for the nation in the prosecution of culprits of child violence. The establishment of the Child Trafficking Unit in the Nigeria Police Force and the Nigeria Immigration Services are aimed at combating violence against children. The Nigerian criminal law has several provisions protecting children from abuse and sexual exploitation, ranging from physical, sexual, psychological, neglect and all other forms of violence against children.

- **Sections 223- 225** of the **Criminal Code** applicable in Southern Nigeria provide for sanctions against whoever trades in prostitution or facilitates the transport of human beings within or outside Nigeria.
- **Sections 278 – 280 of the Penal Code** applicable in Northern Nigeria provides for imprisonment for the buying and selling of minors for immoral purposes, buying or disposing of slaves; and unlawful compulsory labour.
- There is also an increase in the level of arrest and prosecution of those involved in child trafficking and other forms of child abuse.

42.7 Work place: Section 28(1) a, b, and c, stipulates that: No Child shall be:

- (a) Subjected to any forced exploitative labour; or
- (b) Employed to work in any capacity except where he is employed by a member of his family on light work of an agricultural, horticultural or domestic character; or
- (c) Required in any case, to lift, carry or move anything so heavy as to be likely to adversely affect his physical, mental, spiritual, moral or social development.

43. Monitoring impact of policies and programmes towards violence against children.

In addition to providing the legal, institutional and policy frameworks to prevent violence against children, Government, at various levels, has also evolved methods for monitoring the impact of these policies and programmes. There are periodic studies such as the;

- National Demographic and Health Survey;
- End of Year and End of Decade Reports on the State of Children by the Federal Ministry of Women Affairs;
- Multiple Indicator Cluster Surveys;
- National Survey of Sexual Exploitation of Children in Nigeria (FMWA 2001) and Reports by the Federal Office of Statistics.

The Government also directly commissions studies and collaborates with NGOs and Agencies like UNICEF, ILO, UNDP to measure the effectiveness of these policies and programmes, such as the National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Children in Nigeria (1998); the National Study Of Sexual Exploitation of Children in Nigeria (2001) and the Country Report on Child Trafficking (2002).

In addition, Government has set up desks officers monitoring child protection issues at the Ministries of Women's Affairs (Federal and State), the Police, Immigration and Customs Services. The desk officers are further engaged with ensuring compliance with the laws and policies dealing with violence against children.

44. Government participation in internationally coordinated activities towards violence against children.

The Government of Nigeria has been very active at international fora and especially those that relate to child protection issues. Some of these include:

- The International Summit on Children (1989)
- Libreville Conference on Violence Against Children (2000)
- Togo Conference on Violence Against Children (2000)
- Arab-African Forum Against Sexual Exploitation of Children (2001)
- Yokohama Conference Against Commercial Sexual Exploitation of Children (2001)
- Global Movement for Children (2002)
- ECOWAS Peer Review on Child Protection (2003)
- Fourth Africa Regional Conference on Child Abuse and Neglect (2004)
- ILO Programme on Child Labour (2004)

In addition Nigeria observes various special days during which issues concerning child abuse, neglect and exploitation are addressed. Such as:

- National Children's Day (27th May)
- Day of the African Child (16th June)
- International Children's Day of Broadcasting (2nd Sunday of December)
- Global Match Against Child Labour(Annual event)

PART VI: Data Collection, Analysis and Research.

45. Victimization, epidemiological or other population-based surveys of any form of violence against children.

In the past five years, there have been some population-based surveys on violence against children. These include:

- The Rape of the Innocent, (Women Trafficking & Child Labour Eradication Foundation (WOTCLEF) Proceedings of the first Pan-African Conference on Human Trafficking, Abuja, Nigeria, 19-23 February 2001
- National Study of Sexual Exploitation of Children in Nigeria (a publication by the Fed. Ministry of Women Affairs, 2001)
- Children's and Women's Right in Nigeria. A wake – up call (Situation Assessment and Analysis 2001. UNICEF in collaboration with Federal Government of Nigeria)
- Final Report on National Baseline Survey of Positive & Harmful Traditional Practices affecting Women & Girls in Nigeria.(Prepared by Centre for Gender & Social Policy Studies Obafemi Awolowo University, Ile-Ife)1998.
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46. Small-scale or representative interview studies with parents and children on violent victimization of children.

The *National Study of Sexual Exploitation of Children in Nigeria FMWA (2001)* was carried out in year 2001. The Survey covered the six (6) geopolitical zones of the country. It elicited information from the experience of young girls aged 18 years and below with regard to sexual exploitation, parents/household heads and reported on the perception of stakeholders and policy makers on the problem. Focus group discussions were held with the following: street/working children, school children, child development officers in the States, policy makers, parents, teachers and students.

The summary of the focus group discussion indicated that factors responsible for violence against children and child sexual exploitation are illiteracy and ignorance, unhealthy quest for material things, a severely depressed economy, poverty, peer group pressure, lack of sex education from parents and bad examples set by parents on sexual behavior.

The study concluded that there should be among others, provision of social security measures to poor or dysfunctional families, to support, protect and care for children and the identification of the most effective ways to achieve sustainable social outcomes for children.

47. Scientific research projects on the problem of violence against children.

As at the time of this report, there is no scientific research project on the problem of violence against children, commissioned by Federal Government. However, the National Study of Sexual Exploitation of Children in Nigeria conducted by FMWA covers forms of violence against children (FMWA 2001).

48. Studies or surveys undertaken on the impact of legal measures to address SEC.

Although, there has been no study undertaken to address the impact of legal measures on violence against children; the few existing legislations especially on trafficking, seem to approach it, both as a moral and criminal problem. Various efforts by government agencies and civil societies have resulted in

the passage of the **Child Rights Act (2003)** and the **Trafficking in Persons (Prohibition) Law Enforcement and Administration Act (2003)**. The latter provides for the establishment of the **National Agency for Prohibition of Traffic in Persons and Other Related Matters (NAPTIP)**.

These measures were taken as a result of non-enforcement of legal provisions in the past and stakeholders opinion that the punishment/sanctions on offenders and/or perpetrators were too light, relative to the seriousness of offence. The current legal measures are new, and their impact is yet to be assessed as they are just being introduced. The studies cited in question 45 have highlighted some impacts of the legal measures.

49. Formal inquiries into all child deaths.

As at the time of this report there is no system in place for formal enquires into all child deaths arising from violence. However, when formal reports are made to the Government, it mandates or directs the police and other relevant agencies to investigate and prosecute as may be necessary.

50. Publication of Reports.

There are no regular published reports of known or suspected violent deaths investigated by government. However the Annual Police Report contains information on crime rates and trends in Nigeria including information on violent deaths among children.

51. Data collation

As at the time of this report the relevant data on total number of reported cases of violence against children, total convictions and catalogue of reported cases for various categories of crimes of violence against children in year 2000 to 2003, are not immediately available

PART VII: Awareness, Advocacy & Training

54. Campaigns for raising awareness of and prevention of violence against children.

In the last five years the Nigerian Government has conducted several campaigns for raising awareness, and preventing violence against Children. These include:

S/ N	Year	Types of Campaign	Settings and Types of Violation	Target Audience
i	2001	“Say Yes for Children” pamphlets and questionnaires	All forms of violence against Children	General Public
ii	2000	Advocacy Visit	Child Trafficking	Parents & Traditional Rulers in Edo State.
iii	2000-Date	“Izozo” TV Drama (Weekly National	Human trafficking and its attendant vices	General Public
iv	1999-Date	“I need to know”... TV programme	Reproductive Rights of Adolescent boys & girls	Family/Young People
v	2002-Date	“It is my life”. Radio Magazine Programme	Reproductive Health	Adolescent girls.
vi	2002 to Date	Global Match Against Child Labour (Advocacy)	Child Labour	General Public
vii.	2002 to date	Sensitization Seminars and Workshops	All forms of violence against Children	General Public
viii.	1999 – date	“Society and” Child TV campaign on Female and Gender Issues	Discrimination against the girl child .	General Public.

55. Dissemination of campaign messages.

The campaign messages and information are disseminated in the following ways.

Print media	✓
Radio	✓
Television	✓
Theatre	✓
Schools	✓
Others	Advocacy visits workshops, and IEC materials, government publications, Civil Society News Letters and Journals.

56. Government sponsored training Programmes.

The government has in the last five years, provided training on juvenile justice administration as shown in the matrix below.

	Prevention	Protection	Redress	Rehabilitation	Penalties
Medical Professionals (including pediatricians, nurses, psychiatrists and dentists)					
Public health practitioners					
Social workers and psychologists	✓	✓	✓	✓	
Teachers and other educators	✓	✓	✓	✓	
Court officials (including judges)	✓	✓	✓	✓	
Police	✓	✓	✓	✓	
Prison Officers	✓	✓	✓	✓	
Juvenile offenders personnel institution personnel parents guardians					
Other (please specify)					

In 2002-2003 some staff of the National Human Rights Commission were trained together with Prison officers, Courts officials and Judges, Social Workers on Juvenile Justice Administration in Nigeria.

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