

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

The Government of Niger has been a member of ILO-IPEC since 2000.<sup>3193</sup> In 2000, with the support of UNICEF, the government conducted a Multiple Indicator Cluster Survey on the Situation of Children, of which child labor and education were essential components.<sup>3194</sup> The Government of Niger is working with other West African countries to combat child trafficking. In January 2002, government officials attended a seminar with officials from Burkina Faso, Côte d'Ivoire, Gabon, Mali, Togo, Senegal, and several UN agencies and NGOs to discuss child trafficking and exploitation in West and Central Africa.<sup>3195</sup> In the resulting Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking.<sup>3196</sup> Accordingly, the Government of Niger has conducted anti-child trafficking information campaigns.<sup>3197</sup> The government's Child Protection and Survival of Children division also furthered its efforts against child trafficking in 2002 by publicizing the rights of children through seminars, workshops, television broadcasts, and other media.<sup>3198</sup> In addition to coordinating public awareness raising activities in the region, the participating countries also pledged to harmonize anti-trafficking legislation.<sup>3199</sup> In 2000, the Minister of Justice formed a commission with the Association of Traditional Chiefs and an international organization to investigate the problem of child brides.<sup>3200</sup> In the same year, the Association of Traditional Chiefs signed an agreement with UNICEF to support programs against early childhood marriages and forced child labor.<sup>3201</sup>

Since 2000, ILO-IPEC has launched several projects, with funding from France, aimed at ending child labor on grain farms, in gold mines, and at the slaughterhouse in Niamey, and reintegrating child workers and street children into schools.<sup>3202</sup> In 2001, the Ministry of Labor organized a national workshop with UNICEF and ILO-IPEC to set the foundation for the formulation of child labor laws and regulation.<sup>3203</sup>

<sup>3193</sup> ILO-IPEC, *All About IPEC: Programme Countries*, [online] August 13, 2001 [cited September 9, 2003]; available from [http://www.ilo.org/public/english/standards/ipec/about/countries/t\\_country.htm](http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm).

<sup>3194</sup> Republic of Niger, *Enquête a indicateurs multiples de la fin de la décennie (draft) (MICS2)*, UNICEF, November 2000; available from [http://www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab\\_Country\\_Res.sql&ID\\_SURVEY=215n](http://www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab_Country_Res.sql&ID_SURVEY=215n).

<sup>3195</sup> Integrated Regional Information Networks, "West and Central Africa: IRIN Focus on Regional Efforts Against Child Trafficking", IRINnews.org, [online], January 21, 2002 [cited July 16, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=19693>.

<sup>3196</sup> *Ibid.*.

<sup>3197</sup> U.S. Department of State, *Trafficking in Persons Report- 2003: Niger*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003//21276.htm>.

<sup>3198</sup> In 2000, the Justice Minister announced the government's intent to conduct a study on trafficking as part of a legal modernization effort, however, there is no information available on the progress of this study. See U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Niger*, Washington, D.C., March 31, 2003; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18219pf.htm>.

<sup>3199</sup> Integrated Regional Information Networks, "West and Central Africa: IRIN Focus on Regional Efforts". See also U.S. Department of State, *Trafficking in Persons Report- 2003: Niger*.

<sup>3200</sup> U.S. Department of State, *Country Reports- 2002: Niger*, Section 5. See also U.S. Department of State, *Trafficking in Persons Report- 2003: Niger*.

<sup>3201</sup> UN Committee on the Rights of the Child, *Examen des Rapports des États Parties, Rapport initial du Niger*, CRC/C/SR.784, Geneva, July 2002, para. 37.

<sup>3202</sup> Five hundred underage workers, half of them girls, were targeted in the grain farm project, and about 350 working minors were targeted through the slaughterhouse project. See Integrated Regional Information Networks, "Niger: Child Labour Project Launched", IRINnews.org, [online], September 13, 2001 [cited July 16, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=11374>. See also ILO-IPEC, Electronic Communication from IPEC, USDOL, August 16, 2003.

<sup>3203</sup> U.S. Embassy- Niamey, *unclassified telegram no. 1645*, October 2001.

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The Government of Niger is also working with various agencies and NGOs to improve its primary education sector. In late 2001, the government set aside USD 4.2 million for the purchase of school supplies to promote primary schooling.<sup>3204</sup> Education is a cornerstone of the country's Poverty Reduction Strategy Paper under the IMF's Enhanced Highly Indebted Poor Countries Initiative.<sup>3205</sup> The goals of this initiative include increasing primary school enrollment and completion rates, especially among girls, as well as enrollment in secondary rural schools.<sup>3206</sup> In July 2002, the World Bank launched a fast-track program to support Education For All (EFA) in 18 countries considered the most in need, including Niger. EFA aims to provide universal primary education by 2015.<sup>3207</sup> The Ministry of National Education dedicated an office to promoting girls' education in 2000.<sup>3208</sup> UNICEF is also supporting government education efforts through its Basic Education and African Girls' Education Initiative programs, which aim to improve school enrollment rates, promote literacy particularly among girls, and improve the quality of primary education.<sup>3209</sup> WFP is also active in Niger, implementing activities to increase enrollment and attendance in primary schools through a school canteen program.<sup>3210</sup>

## Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 70.1 percent of children ages 5 to 14 years in Niger were working.<sup>3211</sup> Children work primarily in the informal and agricultural sectors.<sup>3212</sup> Children in rural areas mainly work on family farms gathering water or firewood, pounding grain, tending animals, or working in the fields.<sup>3213</sup> Children as young as 6 years old are reported to work on grain farms in the southwest.<sup>3214</sup> Children also shine shoes; guard cars; work as apprentices for artisans, tailors, and mechanics; perform domestic work; and work as luggage porters and street beggars.<sup>3215</sup> Hazardous employment of children is known to occur in a number of industries and regions, including

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<sup>3204</sup> Integrated Regional Information Networks, "Niger: Over USD 4.2 Million for School Supplies", IRINnews.org, [online], October 3, 2001 [cited July 16, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=11954>.

<sup>3205</sup> Republic of Niger, *Full Poverty Reduction Strategy*, Niamey, January 2002, 62. See also U.S. Embassy- Niamey, *unclassified telegram no. 1645*. See also U.S. Embassy- Niamey, electronic communication to USDOL official, February 19, 2004.

<sup>3206</sup> Republic of Niger, *Poverty Reduction Strategy*, 62.

<sup>3207</sup> UNESCO, *Third Meeting of the Working Group on Education for All*, press release, 2002-47, Paris, July 24, 2002; available from [http://portal.unesco.org/en/ev.php@URL\\_ID=4849&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php@URL_ID=4849&URL_DO=DO_TOPIC&URL_SECTION=201.html).

<sup>3208</sup> Ministry of Social Development of the Population, the Promotion of Women, and Protection of the Child, *Rapport National sur le Suivi du Sommet Mondial pour les Enfants*, Republic of Niger, December 2000, 16.

<sup>3209</sup> UNICEF, *UNICEF- At a Glance: Niger- The Big Picture*, [online] [cited September 9, 2003]; available from <http://www.unicef.org/infobycountry/niger.html>.

<sup>3210</sup> WFP, *World Hunger - Niger*, [online] [cited July 16, 2003]; available from [http://www.wfp.org/country\\_brief/indexcountry.asp?country=562](http://www.wfp.org/country_brief/indexcountry.asp?country=562).

<sup>3211</sup> According to the UNICEF survey, 60.9 percent of children ages 5 to 9, and 82.6 percent of children ages 10 to 14 years work. The statistics include children working only, children working and studying, and children that carry out household chores for more than 4 hours per day. Republic of Niger, *Enquête a indicateurs multiples de la fin de la decennie (draft) (MICS2)*. In 2001, the ILO estimated that 43.3 percent of children ages 10 to 14 years were working. (This estimate is based on the definition of the economically active population.) See World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

<sup>3212</sup> International Confederation of Free Trade Unions (ICFTU), *Internationally Recognised Core Labour Standards in Niger and Senegal*, ICFTU, Geneva, September 24, 2003, 1; available from <http://www.icftu.org/www/pdf/nigersenegalclsreport.pdf>.

<sup>3213</sup> U.S. Department of State, *Country Reports- 2002: Niger*, Section 6d.

<sup>3214</sup> Integrated Regional Information Networks, "Niger: Child Labour Project Launched".

<sup>3215</sup> UN Committee on the Rights of the Child, *Examen des Rapports Présentés par les États Parties en Application de l'Article 44 de la Convention, Rapports initiaux devant être soumis en 1992, Niger*, CRC/C/3/Add.29/Rev.1, Geneva, October 2001, para. 381.

the mining of gold in Tillabery, trona in Gosso, salt in Dosso, gypsum in Tahoua,<sup>3216</sup> and meat packing, processing, and rendering at the main slaughterhouse in Niamey.<sup>3217</sup>

Niger serves as a source, transit, and destination country for trafficking victims, including children.<sup>3218</sup> Victims are trafficked to Niger primarily from Benin, Togo, Nigeria, and Ghana.<sup>3219</sup> Most of these children end up either in domestic work or prostitution.<sup>3220</sup> Children from Niger are trafficked within the country from rural to urban areas and within the West African region for the purpose of forced labor, particularly in domestic service.<sup>3221</sup> It is also reported that religious teachers exploit young boys who are sent to them for education by coercing them to beg in the streets.<sup>3222</sup> The commercial sexual exploitation of children for prostitution and pornography is a problem in Niger.<sup>3223</sup>

Primary education is compulsory for six years.<sup>3224</sup> In 2000, the gross primary enrollment rate was 35.5 percent, and the net primary enrollment rate was 30.5 percent.<sup>3225</sup> Primary school attendance rates are also low, particularly for girls.<sup>3226</sup> About 60 percent of children who finish primary schools are boys, as the majority of girls rarely attend school for more than a few years.<sup>3227</sup> In 1998, the gross primary attendance rate was 33.1 percent, and the net primary attendance rate was 26.2 percent.<sup>3228</sup> Girls' limited access to education may be attributed, in part, to traditional practices, conservative religious beliefs and extreme poverty.<sup>3229</sup> Children are often forced to work

<sup>3216</sup> In 2000, the ILO estimated that 57 percent of the workers in small mines and quarries in Niger were children. In the shanty-towns that spring up around the mines, there are reports that girls as young as 12 are involved in prostitution and that both boys and girls are exploited in drug trafficking. See Soumaila Alfa, *Child Labour in Small-Scale Mines in Niger*, working paper, ILO, Geneva, September 28, 2000; available from <http://www.ilo.org/public/english/dialogue/sector/papers/childmin/137e1.htm#Niger>.

<sup>3217</sup> U.S. Embassy- Niamey, *unclassified telegram no. 1166*, August 15, 2003. See also Integrated Regional Information Networks, "Niger: Child Labour Project Launched".

<sup>3218</sup> U.S. Department of State, *Trafficking in Persons Report- 2003: Niger*. See also Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, New York, April 2003; available from <http://www.hrw.org/reports/2003/togo0403/>.

<sup>3219</sup> U.S. Department of State, *Country Reports- 2002: Niger*, Section 6f. See also Dr. Rima Salah, "Child Trafficking in West and Central Africa: An Overview" (paper presented at the First Pan African Conference on Human Trafficking, Abuja, February 19-23, 2001), 3; available from <http://homepage.mac.com/casewright/.cv/casewright/Public/AfricaChildTrafficking.pdf-link.pdf>.

<sup>3220</sup> U.S. Department of State, *Country Reports- 2002: Niger*, Section 6f.

<sup>3221</sup> U.S. Department of State, *Trafficking in Persons Report- 2003: Niger*. See also ILO-IPEC, *Unbearable to the Human Heart: Child trafficking and action to eliminate it*, ILO, Geneva, 2002, 20; available from <http://www.ilo.org/public/english/standards/ipecc/publ/childtraf/unbearable.pdf>. According to a recent survey by Timidria, a local human rights group in Niamey, more than 800,000 people in Niger are living in conditions of forced labor. In recent years, Timidria has worked to liberate approximately 100 slaves, of which 22 percent were children. See Oxfam International, *Freed Slaves in Niger Start New Lives*, [online] 2002 [cited September 9, 2003]; available from [http://www.oxfam.org/eng/story\\_Niger\\_slaves.htm](http://www.oxfam.org/eng/story_Niger_slaves.htm).

<sup>3222</sup> U.S. Department of State, *Country Reports- 2002: Niger*, Sections 5 and 6f.

<sup>3223</sup> UN Committee on the Rights of the Child, *Niger- Reports to Treaty Bodies*, CRC/C/15/Add.179, June 2002; available from <http://www.hri.ca/fortherecord2002/vol12/nigertb.htm>. See also ECPAT International, *Niger*, in ECPAT International, [database online] [cited July 16, 2003], "CSEC Overview"; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/countries.asp?arrCountryID=125&CountryProfile=&CSEC=Overview&Implement=&Nationalplans=&orgWorkCSEC=&DisplayBy=optDisplayCountry](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=125&CountryProfile=&CSEC=Overview&Implement=&Nationalplans=&orgWorkCSEC=&DisplayBy=optDisplayCountry). See also U.S. Department of State, *Country Reports- 2002: Niger*, Section 5.

<sup>3224</sup> U.S. Department of State, *Country Reports- 2002: Niger*, Section 5.

<sup>3225</sup> There is significant gender disparity in gross primary enrollment rates between boys (42.2 percent) and girls (28.6 percent) for 2000. See World Bank, *World Development Indicators 2003*.

<sup>3226</sup> According to results from a MICS survey in 2000, among children ages 5 to 12, only 25.2 percent of girls attended school in Niger, compared to 35.4 percent of boys. See Republic of Niger, *Enquête a indicateurs multiples de la fin de la decennie (draft) (MICS2)*.

<sup>3227</sup> The U.S. Department of State reported in 2002 that the female literacy rate was 7 percent, compared with 21 percent for men. See U.S. Department of State, *Country Reports- 2002: Niger*, Section 5.

<sup>3228</sup> In 1998, the gross primary attendance rate was 26.8 percent for girls and 39.2 percent for boys, while the net primary attendance rate was 21.1 percent for girls and 31.1 percent for boys. See USAID, *Global Education Database 2000* [CD-ROM], Washington, D.C., 2000.

<sup>3229</sup> Government of Niger, *Criminal Code: Chapter VIII- Offenses Against Public Morals*, as cited in The Protection Project Legal Library, [database online]; available from <http://209.190.246.239/protectionproject/statutesPDF/NigerFpdf>.

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rather than attend school, particularly during planting or harvest periods. In addition, nomadic children in northern parts of the country often do not have the opportunity to attend school.<sup>3230</sup>

Among the challenges faced by the Nigerien education system are primary teaching methodologies that date back to pre-independence times; pre-school education that is restricted primarily to urban areas; a reticence by parents to send their children to school due to inefficiencies in the educational system and mediocre results among students; inadequate infrastructure; lack of motivated teachers due to delayed disbursement of salaries; lack of supplies; and an economic crisis that makes it difficult for parents to cover the costs of schooling.<sup>3231</sup>

## Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, although children under 14 may work with special authorization. Children 14 to 18 years old may not work for more than 4.5 hours per day or in industrial jobs.<sup>3232</sup> The Labor Code prohibits forced and compulsory labor, except for work by convicted prisoners.<sup>3233</sup> The law also requires that employers guarantee minimum sanitary working conditions for children.<sup>3234</sup> Nigerien law does not specifically prohibit child prostitution or trafficking, although the Penal Code criminalizes the procurement of a minor for the purpose of prostitution.<sup>3235</sup> As of 2003, there were eight Ministry of Labor inspectors charged with enforcing child labor laws at a regional level, one inspector per region.<sup>3236</sup> However, children mainly work in unregulated sectors, and there is virtually no child labor in the formal sector.<sup>3237</sup>

The Government of Niger ratified ILO Convention 138 on December 4, 1978 and ILO Convention 182 on October 23, 2000.<sup>3238</sup>

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<sup>3230</sup> U.S. Embassy- Niamey, *unclassified telegram no. 2219*, July 2000.

<sup>3231</sup> UN Committee on the Rights of the Child, *Rapports initiaux*, para. 302, 03, 05, 06.

<sup>3232</sup> U.S. Embassy- Niamey, *unclassified telegram no. 0822*, February 1998.

<sup>3233</sup> In addition to the existing prohibition of forced labor in the Labor Code, a new law was passed in May 2003 to outlaw all forms of slavery and to assign prison sentences of 10 to 30 years for those in violation. Despite these legal proscriptions, a traditional caste system is practiced by some ethnic minorities, which promotes slave-like relationships between the upper and lower castes. See U.S. Department of State, *Country Reports- 2002: Niger*. See also International Confederation of Free Trade Unions (ICFTU), *Core Labour Standards in Niger and Senegal*, 8-9.

<sup>3234</sup> U.S. Department of State, *Country Reports- 2002: Niger*, Section 6c.

<sup>3235</sup> The penalty for procuring a minor is 2 to 5 years imprisonment and a fine of 50,000 to 5,000,000 francs (USD 85.58 to 8,558.03). See Government of Niger, *Criminal Code*. For currency conversion, see *Universal Currency Converter*, in XE.com, [online] [cited September 9, 2003]; available from <http://www.xe.com/ucc/convert.cgi>.

<sup>3236</sup> No accurate figures exist as to the number of labor complaints investigated. See U.S. Embassy- Niamey, *unclassified telegram no. 1166*. See also U.S. Department of State, *Country Reports- 2002: Niger*, Section 6c.

<sup>3237</sup> Children work in the informal agricultural, artisan and commercial sectors. Some children, particularly foreign-born children, are hired as domestic laborers for low pay. Most rural children work for their families. See U.S. Department of State, *Country Reports- 2002: Niger*, Section 6c.

<sup>3238</sup> ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 17, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.