



Child Labour and Human Trafficking: A Disturbing Global Menace

***Shekara Peace John; & **Kadiri Musa**

**Federal Polytechnic Bauchi, School of Environment, Department of Estate Management **Federal Ministry of Justice, Abuja Nigeria*

Abstract

The concepts child labour and human trafficking are two very notorious terms that have become topical and of great concern to many countries of the world, not for good but for negative reasons. The terms have equally become worrisome in the global stage whereby many international agencies and organs of governments are forced to address these issues. Child labour is looked at from different perspective, depending on which scholarly work is consulted. For instance, International Labour Organization (ILO) Conventions 138 on the Minimum Age for Admission to Employment and 182 on the Worst Forms of Child Labor defined or described Child Labor to include employment below the minimum age as established in national legislation, hazardous unpaid household services, and the worst forms of child labor: all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor; the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic purposes; the use, procuring or offering of a child for illicit activities; and 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. Similarly, Human Trafficking is defined by the Palermo Protocol as the recruitment, transportation, transfer, harboring or receipt of an individual by means of threat or use of force or other forms of coercion for the purpose of exploitation. This paper therefore discusses the concepts child labour and

human trafficking as a disturbing global menace. It considers some conceptual definitions, legal and institutional frameworks that have both domestic and international flavours. A doctrinal method of research was adopted in doing this work. It also looked at negative effects of child labour and human trafficking to the victims and the society at large. The political will of member countries and states in tackling this cross border crime that has taken an international dimension in the world is also considered. Recommendations and conclusions were made on how best to curb this menace in this 21st century.

Keywords: *Child Labour, Human, Trafficking, Disturbing, Global Menace*

Introduction

Child Labour and human trafficking remained the two most intractable challenges that the world over is grappling with. They are human rights violations that are not just limited to a particular state, region or country but a global phenomenon. It is a bad practice occurring among human beings that attracted global condemnation through various forms of legislations, policies and advocacies. The history of human trafficking, including that of the trafficking of women and children cannot be completely divorced from the phenomenon of slavery. This is

because both involve the acquisition and transportation of humans across local, national and international borders for servitude, with or without the consent of the trafficked person(s)³⁰ While the rights of every human being is guaranteed by most, if not all countries of the world through one form of legislation or the other and enforcements and protection of these rights are very important. Many international organizations like the United Nation (UN), the International Labour Organization (ILO), United Nations Children's Education Fund (UNICEF), Organization for

³⁰ <

<https://core.ac.uk/download/pdf/129679454.pdf>> Accessed on 17/3/2021.

Economic Cooperation and Development (OECD),

International Organization for Migration (IOM) and a host of others have also taken it upon themselves to advocate for the reduction or total eradication of the ugly practices of child labour and human trafficking in the world. These practices are inhuman, degrading and anti-social behaviours that must be condemned by all.

However, just as the saying goes that no society is completely free from crimes and criminality; some deviant individuals have decided to embrace the habit of subjecting their fellow human beings to child labour and human trafficking in clear violation of the provisions of the various laws.

This paper will therefore try to critically look at the concepts of child labour and human trafficking as a disturbing global menace. It will equally consider the debilitating effects of child labour and human trafficking to the victims, states, society, country and the world at large. It will approach the twin issues from both National and International perspectives and will also consider the political will of states and countries in tackling the menace among people.

Child Labour may be described as any action or inaction that is seen to have taken away or violates the rights of a child from enjoying all the rights guaranteed under a given law. The violation of such rights may take different forms which most often involve the use of force, intimidation, inducement, coercion or other forms of threat to compel submission. Human trafficking on the other hand may be defined as the recruitment, transportation, transfer, harboring or receipt of an individual by means of threat or use of force or other forms of coercion for the purpose of exploitation³¹. The paper will make some recommendations on how best to curb this menace and then make conclusion.

CONCEPTUAL DEFINITIONS

(i) The Concept of Child Labour

The ILO Conventions 138 on the Minimum Age for Admission to Employment and 182 on the Worst Forms of Child Labor defined child labour to include employment below the minimum age as established in national legislation, hazardous unpaid household

³¹ Sourced from
<[https://www.dol.gov/agencies/ilab/resour](https://www.dol.gov/agencies/ilab/resources/what-is-child-labor-human-trafficking)

ces/what-is-child-labor-human-trafficking>
accessed on 15/3/2021.

services, and the worst forms of child labor: all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor; the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic purposes; the use, procuring or offering of a child for illicit activities; and 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.³² Child labour is also described as employment of children of less than a legally specified age.³³ The term child labour and labour trafficking are sometimes used interchangeably. Child labour is work carried out to the detriment and endangerment of a child, in violation of international law and national legislation. It either deprives children of schooling or requires them to assume the dual burden of schooling and work.³⁴ The Trafficking Victims Protection Act (TVPA) of 2000 defines labor trafficking as “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force or fraud or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery.”³⁵ Not all work done by children should be classified as child labour that is to be targeted for elimination. Children’s participation in work that does not affect their health and personal development or interfere with their schooling is generally regarded as being something positive. This includes activities such as helping their parents around the home, assisting in a family business or earning pocket money outside school hours and during school holidays. These kinds of activities contribute to children’s development and to the welfare of their families; they provide them with skills and experience,

³² ILO’s Definition; (n 1).

³³ Sourced at <<https://www.britannica.com/topic/child-labour>> accessed on 16/3/2021.

³⁴ Sourced at <<https://www.un.org/en/observances/world-day-against-child-labour/background>> accessed on 17/3/2021.

³⁵ Literature Review, A product of the Model Programme Guide, at <www.ojjdp.gov.mpg> accessed on 15/3/2021.

and help to prepare them to be productive members of society during their adult life.³⁶

(ii) The Concept of Human Trafficking

Palermo Protocol defined Human Trafficking as the recruitment, transportation, transfer, harbouring or receipt of an individual by means of threat or use of force or other forms of coercion for the purpose of exploitation.³⁷ Human trafficking is defined also as the trade of humans for the purpose of forced labour, sexual slavery or commercial sexual exploitation for the trafficker or others.³⁸

The United Nations Office on Drugs and Crimes (UNODC) defines Human Trafficking as the recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit.³⁹ Human trafficking involves movement or transportation of human beings from one place to another for an illegal business or purposes. It is always characterized by the use of force, fraud or coercion to obtain some type of labour or commercial sex act. Human trafficking is described as a modern day slavery involving the movement of victims who are subject to violence, deception or coercion for the purpose of sexual exploitation or forced labour. Most often than not traffickers use force, fraud, or coercion to lure their victims and force them into labour or commercial sexual exploitation. They look for people who are susceptible for a variety of reasons, including psychological or emotional vulnerability, economic hardship, lack of a social safety net, natural disasters, or political instability. The trauma caused by the traffickers can be so great that many may not identify themselves as victims or ask for help, even in highly public settings.⁴⁰ Traffickers use force, fraud, or coercion to lure their

³⁶ Sourced at <<https://www.un.org/en/observances/world-day-against-child-labour/background>> accessed on 17/3/2021.

³⁷ ILO (n1).

³⁸ Sourced at <<https://www.google.com/search?q=human+trafficking&oq=&aqs=chrome>> accessed on 16/3/2021.

³⁹ <<https://www.unodc.org/unodc/en/human-Trafficking/Human-Trafficking.html>> accessed on 16/3/2021

⁴⁰ <<https://core.ac.uk/download/pdf/129679454.pdf>> (n20).

victims and force them into labour or commercial sexual exploitation. They look for people who are susceptible for a variety of reasons, including psychological or emotional vulnerability, economic hardship, lack of a social safety net, natural disasters, or political instability. The trauma caused by the traffickers can be so great that many may not identify themselves as victims or ask for help, even in highly public settings.⁴¹

(iii) The Concept of Menace.

The Oxford advanced learner's Dictionary⁴² defined menace as something or somebody that causes or may cause serious damage, harm, danger or threat. It is an atmosphere that makes one feel threatened or frightened. The merriam Webster online dictionary defines menace to mean any show of intention to inflict harm or any person that represents a threat or danger.⁴³ A menace could therefore be defined in the context of this paper to mean any expression of intent or attempt to cause harm, pain, threat or danger to a person. This involves the use of force, coercion, intimidation or any type of act to threaten someone or group of persons.

THE LEGAL AND INSTITUTIONAL FRAMEWORKS AGAINST CHILD LABOUR AND HUMAN TRAFFICKING

There are various legislations enacted, both national and international by various governments and institutions established to look into the problems of Child labour and human trafficking. These problems are considered as crimes against humanity by many countries of the world. It is an abuse of the fundamental Human rights of citizens for anybody to be subjected to any form of inhuman and degrading treatment, slavery or servitude. They are condemned by many conventions and treaties seeking to protect human dignity of human person. The paper will now consider the examples of few legislations and institutions created in an effort to curb this global problem.

(a) The Constitution of the Federal Republic of Nigeria, 1999⁴⁴

⁴¹<<https://core.ac.uk/download/pdf/129679454.pdf>> accessed on 15/3/2021.

⁴² Oxford Advanced Learner's Dictionary (7th Ed. Edited by Sally Wehmeier, Oxford university Press) 920.

⁴³< <https://www.merriam-webster.com/dictionary/menace>> accessed on 35/3/2021.

⁴⁴ Constitution of the Federal Republic of Nigeria 1999 (CFRN).

The 1999 Constitution of Nigeria is the ground norm and the most important piece of legislation in the country whose provisions are supreme and binding on all Nigerian Citizens. Chapter IV of the Constitution, from sections 33 to 43, listed the many basic rights that every citizen of Nigeria should enjoy. These rights are called the fundamental rights of the citizens of Nigeria and none of them should be violated without the due process of the law. Section 34 of the Constitution provides for the right to dignity of a human person and that every individual is entitled to respect for the dignity of his person, and that no person shall be subjected to torture, inhuman or degrading treatment; no person shall be held in slavery or servitude; no person shall be required to perform forced or compulsory labour save as may be provided for in the exceptions contained therein.⁴⁵ Some of the rights guaranteed under the Constitution are right to life,⁴⁶ right to personal liberty,⁴⁷ right to private and family life,⁴⁸ right to freedom of thought, conscience and religion,⁴⁹ right to freedom of expression and the press,⁵⁰ right to freedom of movement,⁵¹ right to freedom from discrimination⁵² etcetera. It is therefore clear from the above provisions that adequate provisions have been made, though not exhaustive, to protect people from Child labour, and human trafficking which, as may be discussed later are clear violations of a person's rights to life and other fundamental rights to peaceful and quiet enjoyment of his or her life. The law abhors any violation or attempt to violate these rights.

The practices of procuring children for illicit activities such as peddling drugs or serving as middle men for such purposes, force and compulsory labour as a result of intimidation or coercion, hawking during school hours, adopting children for domestic chores (popularly called house boy or house girls), all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, the use,

⁴⁵ Section 34(1) (a) - (c) and (2) CFRN.

⁴⁶ Section 33 CFRN.

⁴⁷ Section 35 CFRN.

⁴⁸ Section 37 CFRN.

⁴⁹ Section 38 CFRN.

⁵⁰ Section 39 CFRN.

⁵¹ Section 41 CFRN.

⁵² Section 42 CFRN.

procuring or offering of a child for prostitution, for the production of pornography or for pornographic purposes and work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of a child⁵³ are all considered to be dehumanizing and degrading. They are harmful to the children's growth and development, detrimental to their health and their proper future upbringing. They are in contravention of the constitutional right to human dignity of a child as guaranteed by the 1999 constitution. Instances abound where most people living in urban cities have gone to the villages to acquire the services of children for their domestic chores known as house boy/girl, usually with the promise to take proper care of such children and educate them in both primary and secondary institutions; sometimes up to tertiary levels. These cases don't normally end up as they appear to be. The children are usually subjected to excruciating torture by subjecting them to all manner of degrading treatments and forced labour. In some cases, they are used as sex slaves and forced to sleep in very unhygienic places, exposed to danger and other health hazards. They are most often than not disconnected from their parents and denied all the basic necessities of life. The devastating effects of these actions on the health of children are many, such as the child being knocked down by vehicles, injuries from beatings, fever and headache after hawking, injuries from rape or attempted rape, always sick due to hunger, traffic accidents, itching at the private part, Pneumonia due to cold, spinal injuries, muscle pains, injuries from machines/knives, insect and or snake bites, burns, Electric shock, having been diagnosed of chemical poisoning⁵⁴, etcetera. In Nigeria, child labour still remains a major source of concern despite of all the legislative measures and Nigerian children still engage in force labour in various dimensions. It is common to see school age children roam the street, motor parks, filling stations traffic jams and market stalls in Nigerian cities begging for alms, and hawking, while others engage in domestic services, agricultural farm work and other menial jobs all

⁵³ International Labour Organization ILO (n1).

⁵⁴ Sourced at < <https://www.hsj.gr/medicine/the-health-and-educational-consequences-of-child-labour-in-nigeria.php>> accessed on 23/3/2021.

during school hours.⁵⁵ There are children who are subjected to child labour even while still living with their parents. Instances abound where we hear of children saying they were asked by their parents or guardians to drop out of schools in order to help them with farm work or restrict the children from attending morning school sessions only to surface in the afternoon after exhaustion from hawking things for their parents. Sometimes it is the other way round. We often hear stories like, 'I do not go to school at all so that I can work to help my parents.' 'I do not have time to do my homework/studies,' 'I miss class for work,' 'My parents(s)/guardian ask me to drop out of school for work,' 'I work in the morning and attend afternoon school,' 'I attend school in the morning and work after school' etcetera. Many of these instances are in direct contravention of the directive principles of state policy which provides for educational development of the children and also a violation of some provisions of treaties and conventions that have been ratified by Nigeria.

(b) National Agency for the Prohibition of Trafficking in Persons (NAPTIP) (Establishment) Act.

The National Agency for Prohibition of Traffic in Persons and Other related Matters (NAPTIP) came into being on the 26th of August, 2003. The Agency which is the creation of Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 is the Federal Government of Nigeria's response to addressing the scourge of trafficking in persons in Nigeria and its attendant human abuses in its entire ramification. It is also a fulfillment of her international obligation under the trafficking in person's protocol supplementing the Transnational Organized Crime Convention (TOCC).⁵⁶ The trafficking protocol enjoins State parties to criminalize practices and conducts that subject human beings to all forms of exploitation which includes in the minimum sexual and labour exploitation. The Law seeks to address trafficking in persons with its associated problems by creating a specific multi-disciplinary crime fighting agency to address them. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) Act

⁵⁵Sourced at <<https://www.hsj.gr/medicine/the-health-and-educational-consequences-of-child-labour-in-nigeria.php>> accessed on 23/3/2021.

⁵⁶<<https://core.ac.uk/download/pdf/129679454.pdf>> accessed on 16/3/2021.

formally criminalized human trafficking. According to its mission statement, NAPTIP is committed to the prevention of all forms of human degradation and exploitation through the coordinated use of Nigeria's crime prevention and law enforcement resources.⁵⁷ Section 4 of the Act⁵⁸;inter alia, provides for the functions of NAPTIP to include:

- (a) To coordination of all laws on trafficking in persons and related offences;
- (b) To adopt measures to increase the effectiveness of eradication of trafficking in persons;
- (c) To adopt witness protection measures;
- (d) To enhance effectiveness of law enforcement agents to suppress traffic in persons;
- (e) To establish proper communication channels, conduct research and work on improving international cooperation in the suppression of traffic in persons; by land, sea and air;
- (f) To reinforce and supplement measures in bilateral and multilateral treaties and conventions on traffic in persons;
- (g) To work in collaboration with other agencies or bodies that may ensure elimination and prevention of the root causes of the problem of traffic in any person;
- (h) To strengthen and enhance effective legal means for international cooperation in criminal matters for suppressing the international activities of traffic in person;
- (i) To strengthen cooperation between the Attorney-General of the Federation, Nigeria Police, Nigeria Immigration Services, Nigeria Customs Services, Nigeria Prison Services, Welfare Officials and all other agencies in the eradication of traffic in person;
- (j) To take charge, supervise, control and coordinate the rehabilitation of trafficked persons;
- (k) To investigate and prosecute traffickers.⁵⁹

⁵⁷ Ibid; also Daily Independent Advertorial, 2005.

⁵⁸ Section 4 of the NAPTIP Act.

⁵⁹ Ibid.

A careful perusal of these functions suggests that the agency is Nigeria's focal or lead agency in the fight against trafficking in persons and associated social problems. Section 8 of the Act created specialized operational departments to implement the mandate of the agency, such as Investigation; Prosecution; Counselling & Rehabilitation and Public Enlightenment Departments.⁶⁰The Act made penal provisions for various punishments in the event of conviction of offenders.⁶¹NAPTIP has a multi-stakeholder Governing Board made up of civil society, experts, and representatives from a range of public bodies including the Federal Ministry of Justice; Ministry of Women Affairs; Ministry of Labour and Productivity; the Police; the National Intelligence Agency; the Immigration Service; and the National Planning Commission. NAPTIP as an agency of Government had responded in so many ways by preventing and prosecuting people who are engaged in these criminal acts of trafficking in persons. Many people, including children have been trafficked for illegal activities from one state to the other. Others have been trafficked across neighbouring countries through dangerous routes and terrible terrains like the deserts and the Mediterranean Sea. The resultant effects of these illegal activities have led to the deaths of many people while others have become beggars and destitute in foreign countries. Others are used as sex slaves, prostitutes and stage swingers by their 'owners' and traffickers while others have been exposed to pornographic materials that have affected their moral life just in order to survive the hard condition they unfortunately found themselves. Many other trafficked victims have become drug peddles or barons, forming strong cartels across different countries of the world. The stories of these trafficked persons are so pathetic that many of them are disconnected from their parents or guardians and so many of them are languishing in prisons in foreign countries with no trace of their whereabouts. These experiences have gone to show why this piece of legislation is a very useful and important in the fight against child labour and human trafficking. With adequate funding, enlightenment and vigorous publicity and sensitization, NAPTIP is capable of reducing to the barest

⁶⁰ Section 8 NAPTIP Act.

⁶¹ Sections 11-29, 32 & 46 of NAPTIP Act.

minimum the negative effects of human Trafficking in Nigeria. Speaking recently in one of the reports presented to the public, the Director general of IOM, Antonio Vitorino pointed out that the results of their findings makes it clear that efforts against human trafficking in global supply chains will be inadequate if they do not extend beyond immediate suppliers to include actors upstream engaged in activities such as raw material extraction and agriculture, and serving as inputs to other industries.⁶²

(c) The Child's Rights Act, 2003 -

The Child's Rights Act is one of the most important pieces of legislation in Nigeria that was enacted in 2003 by the National Assembly to cater for the welfare and good livelihood of the child. It is a useful enactment that seeks to enhance the good living condition of children in all areas, such as education, health, good parental upbringing, social and moral wellbeing in an environment of tranquility for optimal growth and development. It is an important legislation that frowns at child abuse, child labour, human trafficking or any other form of discrimination or violation of the rights of a child. In consonance to the spirit and intents of the Constitution of the Federal Republic of Nigeria, the provisions of the Child's Right Act made several attempts to protect and better the lots of the child. However, the Act has only been adopted by 25 out of Nigeria's 36 states, leaving the remaining 11 states in northern Nigeria with legal statutes that do not meet international standards for the prohibition of child trafficking, commercial sexual exploitation, and illicit activities.⁶³

(d) The Police Act;

The Nigerian Police Force (NPF) is one of the key security agencies created by law to forestall, reduce, prevent, and if possible contain crimes and criminality in Nigeria. It is established by section 214 of the

⁶² <[https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_728159/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_728159/lang-en/index.htm)> accessed on 15/3/2021.

⁶³<<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/nigeria>> accessed on 16/3/2021.

Constitution⁶⁴to among other things coordinate, detect and prevent the commission of crimes in Nigerian and in collaboration with other security agencies both national and internationally, prevent and stop any act of criminality before it occurs or minimize same. The police Act⁶⁵have made detailed specifications of the powers and functions of the NPF.

There are many Institutional frameworks that are saddled with the responsibility of assisting in preventing and combatting this ugly trend and practices of child labour and human trafficking. Examples of such institutions are as follows: NAPTIP, the National Assembly, the Nigerian Police Force (NPF), the Nigerian Immigration Service, the Nigerian Customs Service, the Nigerian Correctional Service (Prisons), the Department of State Services, the Courts, etcetera.

CAUSES OF CHILD LABOUR AND HUMAN TRAFFICKING

➤ Poverty-

Poverty is critically argued by some people to be the major factor for the rampant child labour and by extension, human trafficking. Poverty has a way of changing the thinking level and reasoning of a child which may eventually lead the child to avail his or herself to any available job. Human being will naturally struggle for food in order to survive and where such is not readily available, the tendency to engage in any activity in order to survive the situation is very high. That is why a lot of children have been lured into illicit activities and recruited by criminal elements for evil and nefarious activities like child soldiers, suicide bombers, drug pushers, banditry, insurgency, kidnapping and so many vices. To show the gravity of child labour on children, the UNICEF Executive Director Henrietta Fore said, child labour can have lifelong negative consequences on children's physical, mental and social development, robbing them of a chance to play and learn. She went further to say, there is the need to address the root causes that push children to work, like poverty and violence. And that concrete solutions are needed to ensure

⁶⁴ Section 214 CFRN 1999.

⁶⁵ See The Police Act, 2004.

that families have alternative income sources and children have access to quality education and protective services.⁶⁶

➤ Crisis and Violence –

Where there is crisis and violence there is the likelihood that child labour or child abuse will be rampant in such places. This is because the children will be insecure and vulnerable to so many external factors and strangers alike. The influence of strangers that prey on such victims would be very high. They will capitalize on the unstable situation in order to achieve their evil plans. They may equally disguise as good and friendly people trying to provide succor to the children of such crisis but would up exploiting their vulnerability by ferrying them through illegal routes to various locations for their nefarious activities. The example of the Rwandan genocide crisis of 1994 and the Boko haram crisis in the Northeast Nigeria readily comes to mind which in both instance have exposed the children to difficult situations in life of monumental lifelong negative effects.

➤ Separation in the family

When families are not living happily together or the family is dysfunctional, there is the tendency that children produced from such families would be exposed to danger and be vulnerable to the predatory eyes of traffickers and child molesters. The children will not enjoy the love, care, affection and warmth of their parents as a result of the broken family. The children would be left without good moral upbringing and will become willing tools for any illegal activity. Their health, education, feeding, accommodation and other physiological and social needs will be in jeopardy and therefore would be exposed to strangers and evil merchants of the evil practices of child labour and human trafficking.

➤ Cultural factors -

Child labour may depend on the culturally determined and institutional roles and functions of the socialization process, and the normative attitude towards children in the society. The works children do depend on cultural aspects as concerns the concept of the child, his or her roles in the family and society. Majority of Nigerian families believe that

⁶⁶< https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_728159/lang--en/index.htm> accessed on 15/3/2021.

children are God-sent helpers who should be produced “in gross”. In such families, children are used as money making ventures by their families. In Nigeria today, as the economic recession increases, you see many families deploying their children into all sorts of child labour, ranging from hawking to begging without due consideration for the detrimental effects in the health and education of the children.⁶⁷

➤ Family size -

Many families in Nigeria are too large due to polygamous marriage and extended family affiliations. In such families, it becomes difficult or almost impossible for parents to cater adequately for numerous children in the areas of nutrition, health care and education. For the children to survive, many of them may be sent out to work outside home as house helps, baby sitters, sales girls and boys, apprentices, and so on. Most of these children may be unfortunately sent to live with wicked employers who may abuse them physically and emotionally through child labour. In families like these, children leaving home are a relief to parents as the mouths to feed are reduced. Other children at home may engage in hawking, begging, working in building construction sites, barrow or truck pushing and so on to make ends meet.⁶⁸

➤ Greed and illiteracy as a factor -

High level of illiteracy and greed among parents and children may lead to child labour. In Nigeria majority of illiterate families do not send their children to school. With little or no access to schooling, children are forced by instincts to go into doing all kinds of jobs at an early age in order to keep themselves busy and to survive. In many illiterate and greed families, school aged children are lured or even forced to miss school or even to drop out of school entirely and join the tedious adult works that may be dangerous to their health. It is very common to see parents in rural areas refusing to give their children sound education with the belief that if there are unemployment, children should not be

⁶⁷Sourced from < <https://www.hsj.gr/medicine/the-health-and-educational-consequences-of-child-labour-in-nigeria.php>> accessed on 22/3/2021.

⁶⁸ Sourced from < <https://www.hsj.gr/medicine/the-health-and-educational-consequences-of-child-labour-in-nigeria.php>> accessed on 22/3/2021

educated, rather they should start early to work to support the family income.⁶⁹

All over the world, child labour and human trafficking has been recognized as a global challenge, health problem and the extent to which many children have been maimed, brought to chronic illnesses or even died through it cannot be overestimated. As a matter of fact, every dimension of child labour is detrimental to the physical and emotional health and education of the child.⁷⁰ Child labour that is proscribed under international law falls into three categories:

- ❖ The unconditional worst forms of child labour, which are internationally defined as slavery, trafficking, debt bondage and other forms of forced labour, forced recruitment of children for use in armed conflict, prostitution and pornography, and illicit activities.
- ❖ Labour performed by a child who is under the minimum age specified for that kind of work (as defined by national legislation, in accordance with accepted international standards), and that is thus likely to impede the child's education and full development.
- ❖ Labour that jeopardizes the physical, mental or moral well-being of a child, either because of its nature or because of the conditions in which it is carried out, known as "hazardous work."⁷¹

THE NEGATIVE EFFECTS OF CHILD LABOUR AND HUMAN TRAFFICKING

Child Labour and human trafficking have forced millions of Nigerian children out of the comforts of their homes, and out of schools into the labour world and does not leave them there. It goes on to drag children to all sorts of ill-health and illiteracy.⁷² The effects of child labour and human trafficking are multi-faceted. Some have been discussed earlier and other will be looked at hereunder. The paper had pointed out that child labour have lifelong negative consequences

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ <<https://www.un.org/en/observances/world-day-against-child-labour/background>> accessed on 15/3/2021.

⁷² < <https://www.hsj.gr/medicine/the-health-and-educational-consequences-of-child-labour-in-nigeria.php>> accessed on 15/3/2021.

on children's physical, mental and social development, robbing them of a chance to play and learn. Similarly, it is our view that the children will be exposed to all manner of sicknesses, diseases, maltreatment, being knocked down by vehicles, injuries from beatings, fever and headache after hawking, injuries from rape or attempted rape, always sick due to hunger, traffic accidents, itching at the private part, Pneumonia due to cold, spinal injuries, muscle pains, injuries from machines/knives, insect and or snake bites, burns, Electric shock, having been diagnosed of chemical poisoning,⁷³ etcetera. Trafficked children will not enjoy the love, care, affection and warmth of their parents. They are left without good moral upbringing and are always willing tools for any illegal activity. Their education, feeding, accommodation and other physiological and social needs are most often than not in jeopardy. Trafficking of persons in Nigeria according to the Geneva-based United Nations International Children's Emergency Fund; UNICEF (1999) is of two types: internal and external trafficking. In internal trafficking children are procured by middlemen to serve as domestic and agricultural workers.⁷⁴

UNICEF, in one of her reports said that efforts to end the worst forms of child labour would not succeed without effective cooperative efforts to fight the trafficking of children and women within and across national borders.⁷⁵ It pointed out that trafficking in human beings is beginning to rival the illegal trade in drugs and arms, with estimated revenue of \$12 billion a year.⁷⁶

Nigerian Government's Intervention in Child Labour and Human Trafficking
Worried by the menace of the human trafficking and its concomitant negative image on the country, the Federal Government in 2003 adopted a three-prong attack against the monstrous trade. At the level of the Presidency, was the National Agency for the Prohibition of Trafficking in Persons and other Related Matters (NAPTIP). Secondly, there were the Federal Government paramilitary agencies such as the Nigeria Immigration Service, (NIS); the Nigeria Police (NPF) and the Nigerian Customs Service (NCS). The third prong was at the level of government parastatals like the National Emergency Management

⁷³ Sourced at < <https://www.hsj.gr/medicine/the-health-and-educational-consequences-of-child-labour-in-nigeria.php>> accessed on 23/3/2021.

⁷⁴ Ibid.

⁷⁵ <https://www.unicef.org/media/media_8079.htm> accessed on 12/3/2021.

⁷⁶ Ibid.

Agency (NEMA), whose primary assignments are only indirectly related to human trafficking.⁷⁷In 2019, Nigeria made a minimal advancement in efforts to eliminate the worst forms of child labour. The government launched two new state-level task forces to combat human trafficking in Delta and Ondo states. Children engage in the worst forms of child labour, including in quarrying granite, artisan mining, commercial sexual exploitation, and armed conflict, each sometimes as a result of human trafficking.⁷⁸Trafficking of persons in Nigeria according to the Geneva-based United Nations International Children's Emergency Fund; UNICEF in 1999 is of two types: internal and external trafficking.⁷⁹Internally, children are procured as domestic workers, while external trafficking provides girls and women for prostitution rackets in Europe and in some cases, unsuspecting young girls and women have fallen preys to traffickers who use them for rituals.⁸⁰The worst forms of child labour involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age. Whether or not particular forms of “work” can be called “child labour” depends on the child's age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries.⁸¹One of the major aims set for the International Labour Organization (ILO) at its founding in 1919 was the abolition of child labour.⁸²

UNICEF observed that many governments are already signatories to the Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Trafficking and Child Pornography. Her Executive Director noted that “But much more needs to be done to ensure its effective implementation, including ample awareness campaigns, required legal reform, universal birth registration for children and strong international cooperation. Another important measure is granting humanitarian visas or according refugee status to trafficked

⁷⁷ Sourced from < <https://core.ac.uk/download/pdf/129679454.pdf>> accessed on 16/3/2021.

⁷⁸<<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/nigeria>>accessed on 16/3/2021.

⁷⁹ Sourced at <<https://core.ac.uk/download/pdf/129679454.pdf>> accessed on 17/3/2021..

⁸⁰ Ibid.

⁸¹ <<https://www.un.org/en/observances/world-day-against-child-labour/background>>accessed on 17/3/2021.

⁸² Ibid.

children.”⁸³ Some research suggests that women and children are more likely to be victims of human labour trafficking because of their “relative lack of power, social marginalization, and their overall status as compared to men”⁸⁴ Other populations that are likely to experience labor trafficking are lesbian, gay, bisexual, transgender, questioning, intersex, and asexual, youth runaways; homeless youths; and child welfare populations.⁸⁵

RECOMMENTATIONS

Child labour and human trafficking are two cross border crimes that have continued unabated despite efforts by various governments and international organizations to bring this menace to an end or reduce it. They are challenges that the world cannot afford to keep quiet about and all hands must be on deck to curtail their continuous ravaging effects. The following solutions have been observed by the UNICEF and we deem it appropriate to adopt same as part of our recommendations that:

- a. Governments need to show a strong political commitment to combat child trafficking: This includes ensuring that the necessary legislation is in place to outlaw trafficking and punish traffickers. Necessary resources need to be made available to ensure effective action is always guided by the best interests of the child. Laws need to be rigorously and reliably enforced, including international agreements to help prevent trafficking and facilitate the safe return of trafficked children.⁸⁶
- b. Attitudes and practices need to change: Getting and keeping all children in school –especially girls – would dramatically improve their protection, but 120 million children still never go to school, the majority of them girls. Awareness campaigns need to empower communities, families and children themselves to prevent trafficking.⁸⁷

⁸³ UNICEF, <https://www.unicef.org/media/media_8079.html> accessed on 12/3/2021.

⁸⁴ Office on Trafficking in Persons 2015b, Literature Review, A product of the Model Programme Guide, sourced from <www.ojjdp.gov.mpg> accessed on 15/3/2021.

⁸⁵ Buckley 2008; Clawson et al. 2009, Literature Review, A product of the Model Programme Guide, sourced from <www.ojjdp.gov.mpg> accessed on 15/3/2021.

⁸⁶ UNICEF, <https://www.unicef.org/media/media_8079.html> accessed on 12/3/2021.

⁸⁷ Ibid.

- c. Children need to be aware of the dangers of trafficking so that they can protect themselves: Children are often lured with promises of money and a ‘better life.’ To counter this, at-risk children need to be given practical skills that allow them to avoid being ensnared. This could include vocational training or income-generating activities at the community level to keep them from falling prey to false offers from traffickers.⁸⁸
- d. All those who interact and spend time with children need to be able to recognize the risks of trafficking and respond accordingly: Teachers need to recognize the warning signs of a troubled home. Police raiding brothels need to know to search for girls who have come from other countries and avoid stigmatizing and victimizing them further. A border guard with limited awareness of trafficking may not react when seeing young children crossing a border without their parents.⁸⁹
- e. Media attention is a crucial advocacy and awareness element in the fight against trafficking and in calling for the effective and systematic protection of the child victim.⁹⁰ Reintegration and rehabilitation for victims of trafficking: Children who have been trafficked need services to help them escape their situation, and to return home to a safe environment. Services for child victims of trafficking need to be guided by the best interests of the child, including the child’s return to a safe environment.⁹¹

CONCLUSION

Child labour has been fought from many angles both internationally and nationally, yet it still exists and deranges children’s health, and education. The International Labour Organization programmes on the elimination of Child Labour IPEC founded in 1992 aims at eliminating child labour. It operates in 88 countries including Nigeria. In 2013, Nigeria made a moderate advancement in efforts to eliminate child labour and provided funds to families to encourage children remain in school [2].

However, child labour still remains a major source of concern inspite of all these legislative measures and Nigerian children still engage in force labour in various dimensions. In Nigeria, it is common to see school age children roam the street,

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

motor parks, filling stations traffic jams and market stalls in Nigerian cities begging for alms, and hawking, while others engage in domestic services, agricultural farm work and other menial jobs all during school hours. In actual fact according to Aliyu [3], the number of children involved in exploitative work in Nigeria is not known, owing to the wide dispersion of child labourers everywhere [3].