

In 2014, Niger made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Action Plan to Combat Trafficking in Persons which will provide protection and social assistance to victims of human trafficking, including children. Law enforcement officials received training on child labor and human trafficking, as well as rescued and assisted 45 children from Koranic teachers that exploited them as street beggars. Further, the Government participated in a new program to combat forced labor. However, children in Niger are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in mining. Laws relating to the worst forms of child labor do not provide adequate coverage and gaps in enforcement have left children unprotected. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Niger are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in mining.(1-4) Data from the 2009 National Child Labor Survey indicates that more than 30 percent of children ages 5 to 17 are engaged in hazardous work. Data also revealed that child labor is more prevalent in rural areas and among girls.(5) Table 1 provides key indicators on children's work and education in Niger.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	42.9 (2,516,191)
Attending School (%)	5-14 yrs.	48.0
Combining Work and School (%)	7-14 yrs.	22.1
Primary Completion Rate (%)		49.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey (DHS), 2012.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of pepper,*rice,*fruits,*nuts,*and vegetables* (1-3, 8, 9)
	Herding and caring for livestock,* including cattle and goats* (2-4, 8)
	Capturing and processing fish* (2, 4)
Industry	Mining† for trona, salt, gypsum, natron,* and gold (3, 4, 10-12)
	Quarrying,*† including crushing rocks* (1, 4, 13)
	Mechanical repair,*† welding,*† and metal work*† (4)
Services	Work in construction*†, tanneries,*† and slaughterhouses*† (4, 5, 13)
	Street work*, including as market vendors* and beggars *† (4, 5, 14)
	Domestic work* (3-5, 13)

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Table 2. Overview of Children’s Work by Sector and Activity(cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation*sometimes as a result of human trafficking* (1, 3, 4)
	Caste-based servitude,* including as cattle herders,* agricultural workers,* and domestic workers* (1, 15)
	Forced begging by Koranic teachers* (3, 4, 13, 16, 17)
	Forced labor in domestic work* and mining*, each sometimes as a result of human trafficking* (1, 4)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Traditional forms of caste-based servitude, such as the use of women and girls as *wahaya*, still exist in parts of Niger, especially among the Tuareg, Djerma, and Arab ethnic minorities; in distant western and northern regions; and along the border with Nigeria.(3, 15, 18) The *wahaya* practice allows a man to take a girl as a “fifth wife,” meaning as a slave (according to Islamic practices, men are allowed to have only four wives).(1, 15, 19) *Wahaya* slaves, including children, are typically forced to work long hours as cattle herders, agricultural workers, or domestic workers, and are often sexually exploited.(13, 15, 20) Children of *wahaya* wives are considered slaves as well and passed from one owner to another as gifts or as part of dowries. Both wives and children are often forced to perform domestic labor in their masters’ households.(13, 15, 19)

In Niger, it is also a traditional practice to send boys (*talibés*) to Koranic teachers (*marabouts*) to receive religious education.(21, 22) However, some of these boys are forced by their teachers to beg on the streets and surrender the money they have earned, or perform manual labor.(1, 3, 13, 21)

In 2014, an estimated 4.2 million people were food insecure in Niger, and severe flooding affected the livelihoods of many communities.(23-26) The ongoing conflict in Mali and insecurity in northeastern Nigeria has also resulted in thousands of refugees in Niger.(25, 26) Refugee children may have difficulty accessing education, which could put them at increased risk of engaging in the worst forms of child labor.(26)




The Constitution provides free and compulsory education.(3, 27) However, access to education nationwide is hindered by a chronic shortage of teachers, school materials, and infrastructure, which may increase the vulnerability of children to the worst forms of child labor.(3, 26, 28) Many children in Niger are also not registered at birth. Unable to prove their citizenship, unregistered children may have difficulty accessing services such as education.(3, 29, 30)

In October 2014, the Government released a survey on child labor in the regions of Dosso, Niamey, and Tillabéri. The survey collected data in 2013 and indicated that more than 30 percent of children ages 5 to 17 are engaged in agriculture, specifically in the production of rice.(9) Many of these children work in hazardous activities, including handling and spraying pesticides and herbicides, which the Government has deemed hazardous.(9, 31)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Niger has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 106 of the Labor Code (32)
Minimum Age for Hazardous Work	Yes	16	Article 138 of Decree No. 67-126/MFP/T (31)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 138-158 of Decree No. 67-126/MFP/T; Article 181 of the Penal Code (31, 33)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 270 of the Penal Code (27, 32, 33)
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 10 of the Law on Combating Trafficking in Persons (32, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Articles 291-292 of the Penal Code (32, 33)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code (32)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 107 of the Labor Code (32)
Compulsory Education Age	Yes	18	Article 2 of the Law on the Orientation of the Educational System in Niger (35)
Free Public Education	Yes		Article 23 of the Constitution (27)

* No conscription (36)

In Niger, the minimum age for hazardous work does not meet the international standard of 18.(21, 37) In addition, Nigerien law does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture. An amendment to the Labor Code that includes prohibitions of hazardous occupations or activities for children, developed in 2013, was not approved during the reporting period.(2, 22) However, Decree No. 67-126/MFP/T prohibits the employment of children in mining, quarrying, manufacturing, construction, tanneries, and slaughterhouses.(38) The Penal Code prohibits employing and provoking children to beg; however, the penalties outlined in article 181 are low and may not deter violations.(33) Article 178 of the Penal Code also provides penalties for vagrancy, which is defined by article 177 as a person without a home, occupation or means of subsistence. This law may compel children who live on the streets to engage in the worst forms of child labor.(33, 39)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor and Social Security (MELSS)	Enforce laws related to child labor by receiving complaints, investigating violations, and referring cases to courts.(4)
MELSS Child Labor Division	Conduct studies on the scope and nature of child labor, raise awareness of child labor, and coordinate government efforts to eliminate child labor.(4)
National Human Rights Commission (CNDH)	Receive child labor complaints, investigate violations, and report violations to courts.(4)
Ministry of Population, Women's Promotion and Child Protection	Work with law enforcement officials to provide vulnerable children with services, including education and counseling, in 13 centers across the country.(4, 21)
Ministry of Justice's Judicial Police Sections	Oversee cases involving juveniles at regional and district levels.(4)
District and Magistrate Courts	Address children's issues, including child labor, through 10 district courts and 36 magistrate courts.(4)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Regional and Vigilance Committees	Prevent child trafficking, dismantle human trafficking rings, and raise awareness of the worst forms of child labor. In the case of vigilance committees, which work in 30 localities, report suspected cases of illegal transport of minors to the police.(4, 21)

Law enforcement agencies in Niger took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, the Ministry of Employment, Labor and Social Security (MELSS) employed 52 labor inspectors throughout Niger to enforce labor laws, including those related to child labor.(4) Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. During the reporting period, all labor inspectors received training on the worst forms of child labor and also provided training to 30 members of the Workplace Safety and Health Committees in the regions of Tillabéry, Dosso, and Zinder.(4) Niger has a labor inspectorate office in each of the country's eight regions. Inspectors conduct both routine and complaint-based inspections.(21) However, MELSS but does not have a system with sufficient reach or standard protocols to conduct inspections effectively in the informal sector where most child labor occurs. The Labor inspectorate has the authority to determine penalties and/or assess penalties.(4) However, research could not find information regarding the number and quality of inspections, or whether there were any law violations, complaints, citations, and penalties related to child labor.

Victims of the worst forms of child labor are occasionally referred to the Ministry of Population, Women's Promotion and Child Protection or to NGOs depending on the case and location. During 2014, law enforcement agencies rescued and assisted 45 children from Koranic teachers who had exploited them as street beggars.(4) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to conduct effective child labor inspections and legal proceedings.(4, 40)

Criminal Law Enforcement

In 2014, Ministry of Justice officials received training on legislation related to human trafficking and children's rights.(4) Information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor is unavailable. Criminal enforcement agencies received and investigated 101 child trafficking cases; of these, 61 were convicted and sentenced to prison.(4) Also, the first conviction for the "wahaya" practice took place on May 2014.(13) Despite these efforts, both the MELSS and the Ministry of Justice indicated that the number of convictions related to the worst forms of child labor were inadequate, given the magnitude of the problem.(21) During 2014, criminal law enforcement agencies and NGOs rescued and assisted 205 children from exploitative situations, although it is unclear how many involved child labor. Reports indicate there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Review proposals for action plans for the ILO-IPEC country program and ensure that they are consistent with national child labor policy and priorities.(21)
National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP)	Coordinate efforts to combat human trafficking, and develop and implement policies and programs related to human trafficking.(21, 34, 39) The CNCLTP comprises five executive board members and 19 other members, including representatives of government ministries; members of CNDH, civil society organizations, women's rights groups, labor unions, judges, bar associations; and two foreign donor representatives who act as observers.(21, 41)
National Agency to Fight Against Trafficking in Persons (ANLTP)	Implement policies and programs developed by the CNCLTP; conduct awareness campaigns about human trafficking in conjunction with the CNCLTP; provide training and education to reduce the risk of human trafficking; and maintain a hotline to receive complaints of human trafficking.(21, 39, 41)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
National Committee to Combat the Phenomenon of Street Children	Coordinate activities to combat the phenomenon of street children. Placed under the Ministry for the Promotion of Women and Child Protection.(11)
National Committee to Combat Child Labor in Agriculture*	Coordinate policies and programs to combat child labor in agriculture.(42) Chaired by the Ministry of Agriculture and includes representatives from the MELSS and the Ministry for the Promotion of Women and Child Protection. Also includes nongovernmental stakeholders such as NGOs, labor unions, international organizations, and social partners.(43)
National Committee to Combat the Vestiges of Forced Labor and Discrimination	Develop and implement a national action plan to combat the vestiges of forced labor and discrimination.(44)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP) and the National Agency to Fight Against Trafficking in Persons (ANLTP) met to develop drafts of the National Action Plan to Combat Trafficking in Persons, which was adopted in July 2014.(4, 45, 46) The number of calls received by the ANLTP's hotline that involve child trafficking is unknown. Research did not determine if the National Steering Committee on Child Labor, the National Committee to Combat the Phenomenon of Street Children, and the National Committee to Combat the Vestiges of Forced Labor and Discrimination were active and received adequate funding to fulfill their mission during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Niger has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Action Plan to Combat the Sexual Exploitation of Children	Seeks to combat the sexual exploitation of children.(11, 21)
Decent Work Country Program (2012-2015)	Describes the child labor situation in Niger and includes targets for the elimination of child labor.(38, 47)
National Education Development Plan	Supports education for vulnerable children and includes child labor issues.(4)
Social and Economic Development Plan (2012-2015)	Describes Niger's overall development agenda, aims to prevent the worst forms of child labor, and calls for the adoption of the Nation Action Plan to Combat Child Labor.(4, 48)
Education and Training Sectorial Program (2014-2024)*†	Sets out a comprehensive map to improve the quality of, and access to, basic and higher education.(4, 49)
Nigeriens Nourish Nigeriens Development Plan "3N" (2012-2015)*	Seeks to develop the national agricultural sector, and improve food security and nutrition for children located in vulnerable and remote geographical areas.(50)
UNDAF (2014-2018)	Promotes improved access to education for vulnerable children and aims to build the capacity of the Government to address child labor.(51)
Strategy for Development and Security in Sahel-Saharan Areas of Niger (2012-2017)*	Describes Niger's overall security and development agenda with local populations in northern Niger. Seeks to increase youth employment and improve infrastructure and strengthening social services, particularly in health, education, and transportation.(52, 53)
National Action Plan to Combat Trafficking in Persons†	Includes goals of enhancing the legal framework to prevent human trafficking, effectively implementing the laws, providing effective protection and care for victims, and strengthening social and educational initiatives for vulnerable children.(4, 45, 46)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The National Action Plan to Combat Child Labor drafted in 2010 aims to eliminate the worst forms of child labor in Niger by 2025.(4) It also addresses child labor in a variety of sectors, including agriculture, mining, domestic work, and begging.(11) However, the Plan has yet to be adopted.(4, 11)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Niger participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

Table 8. Social Programs to Address Child Labor

Program	Description
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I and II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity building support for all ECOWAS states.(54, 55)
Project to Combat Child Labor in Domestic Service (2011-2015)	Government of France-funded, 3-year, \$1.3 million regional project to combat child labor in domestic work.(56)
Project Against Forced Labor and Discrimination (PACTRAD II) (2014-2015)†	Government program, with support from the ILO, to combat forced labor and discrimination practices towards women and children in Niger.(57, 58)
UN WFP*	UN program that supports cash-for-work schemes and other initiatives to address food insecurity. More than 600,000 beneficiaries have received assistance in Niger.(59)
Niger Safety Net Project*	World Bank cash transfer and cash-for-work project that aims to establish a safety net system for vulnerable households. Targets more than 1 million beneficiaries; 60,000 beneficiaries receive cash for work benefits.(60)
Second Chance Community Literacy Education and Vocational Training Program*	Government program, in collaboration with Volunteers for Education Integration, (a local NGO) that provides vulnerable children with literacy education and vocational training opportunities.(21)
Niger Education and Community Strengthening (2012-2016)*	\$7.6 million, USAID and Millennium Challenge Corporation-funded, 4-year project implemented by the Ministry of Education and Plan International to increase access to quality education for girls and boys.(61)
Resilience in the Sahel-Enhanced (RISE) *† (2014-2019)	USAID program that helps vulnerable communities in Niger and Burkina Faso mitigate vulnerabilities, shocks, and stresses by facilitating inclusive growth.(62) Aims to reach an estimated 1.9 million beneficiaries.(63)
Migration Forum*	Government forum, with support from the ILO-IPEC and a local NGO, that combats migration of youth, especially girls, from rural to urban areas.(21)

*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

Although Niger has programs that target child labor, the scope of these programs is insufficient to fully address the problem, especially in agriculture, herding, and mining. Niger also lacks a specific program to assist children exploited by religious instructors.(22)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Niger (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for hazardous work to 18.	2009 – 2014
	Ensure the law prohibits hazardous occupations and activities in all relevant child labor sectors, including agriculture.	2014
	Ensure the Penal Code provides higher penalties for inciting people to beg and to ensure that street children are not compelled to engage in the worst forms of child labor.	2009 – 2014
Enforcement	Increase the training, resources and number of labor inspectors and criminal investigators responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2009 – 2014
	Ensure enforcement protocols exist to conduct inspections effectively in the informal sector where most child labor occurs.	2014

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Make efforts to increase the number of convictions related to the worst forms of child labor.	2010 – 2014
	Collect and make public information on the number and quality of labor inspections, violations, complaints, citations, and penalties related to child labor, as well as the number of criminal law investigators.	2012 – 2014
Coordination	Ensure that the National Steering Committee on Child Labor, the National Committee to Combat the Phenomenon of Street Children, and the National Committee to Combat the Vestiges of Forced Labor and Discrimination are active and receive adequate funding to fulfill their mission.	2011 – 2014
	Disaggregate complaints made to the ANLTP's hotline by the number of children trafficked.	2013 – 2014
Government Policies	Adopt and implement the National Action Plan to Combat Child Labor.	2009 – 2014
	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014
Social Programs	Ensure that all children have access to education, including refugees, by registering children at birth and by establishing and implementing a program to address the lack of teachers, schools, and supplies.	2013 – 2014
	Implement a program to target children exploited by religious instructors.	2011 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2011 – 2014
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, and mining.	2009 – 2014

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