

*In 2015, Niger made a moderate advancement in efforts to eliminate the worst forms of child labor. Niger was the first country to ratify ILO Protocol of 2014 to the Forced Labor Convention. The Government also drafted a new version of the National Action Plan to Combat Child Labor and adopted the Migrant Anti-Smuggling Law, which criminalizes smuggling and abuse of migrants, including children, and provides specialized services to child victims of smuggling. However, children in Niger are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in mining, forced begging, and caste-based servitude. Gaps in laws and enforcement have left children unprotected. In addition, social programs to combat child labor in Niger are 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.(1-3) Children are also engaged in the worst forms of child labor, including in mining.(4-7) According to the 2009 National Child Labor Survey, more than 30 percent of children ages 5 to 17 are engaged in hazardous work, and child labor is more prevalent in rural areas and among girls.(8) 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 (%)	7-14 yrs.	48.0
Combining Work and School (%)	7-14 yrs.	22.1
Primary Completion Rate (%)		58.6

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey (DHS), 2012.(10)

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 rice,* fruits,* nuts,* and vegetables* (1, 3, 4, 11)
	Herding and caring for livestock,* including cattle* (3, 4, 11, 12)
	Fishing* (3, 12)
Industry	Mining† for trona, salt, gypsum, natron,* and gold (4-7, 12-14)
	Quarrying† (4, 15, 16)
	Mechanical repair,*† welding,*† and metal work*† (4, 12)
	Working in construction,*† tanneries,*† and slaughterhouses*† (8, 12, 15)
Services	Street work, including as market vendors* and beggars*† (5, 8, 12)
	Domestic work (4, 8, 11, 12, 15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (2, 11, 12)
	Caste-based servitude,* including as cattle herders,* agricultural workers,* and domestic workers* (2, 17)
	Forced begging by Koranic teachers (4, 11, 15, 16)
	Forced labor in domestic work* and mining,* each sometimes as a result of human trafficking* (2, 12, 18)

\* 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.

# Niger

## MODERATE ADVANCEMENT

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 Arab, Djerma, and Tuareg ethnic minorities, in distant western and northern regions, and along the border with Nigeria.(11, 17, 19, 20) Under the *wahaya* practice, men buy girls born into slavery, typically between the ages of 9 and 11 years old, as “fifth wives”. *Wahaya* wives, including girls, are typically forced to work long hours as cattle herders, agricultural workers, or domestic workers and are often sexually exploited.(2, 11, 17, 21) The children of *wahaya* wives are considered slaves as well and are passed from one owner to another as gifts or as part of dowries. Both the wives and the children are often forced to perform domestic labor in their masters’ households.(4, 15, 17)

In Niger, it is also a traditional practice to send boys (*talibés*) to Koranic teachers (*marabouts*) to receive religious education. However, some of these boys are forced by their teachers to beg on the streets and surrender the money they have earned, or to perform manual labor.(4, 11, 15, 16)

The Constitution of Niger provides free and compulsory education.(4, 22) However, access to education nationwide is hindered by a chronic shortage of teachers, school materials, and infrastructure, which may make children more vulnerable to the worst forms of child labor.(4, 11, 23-25) Many children in Niger also are not registered at birth. Since they are unable to prove their citizenship, these unregistered children may have difficulty accessing services such as education.(3, 4, 11, 26, 27)




In 2015, Niger hosted approximately 192,700 refugees because of the ongoing instability in Mali and insecurity in northeastern Nigeria. It may be difficult for refugee children to access education which could put them at increased risk of engaging in the worst forms of child labor.(11, 23, 28)

While information on cases of recruitment and use of children in armed conflict is limited in Niger, the Government detained 65 children for suspected association with Boko Haram during the reporting period. The majority of the children detained were Nigerian and were held in juvenile prisons.(29)

## 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	✓

In June 2015, the Government of Niger was the first country to ratify ILO Protocol of 2014 to the Forced Labor Convention.(30, 31)

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 (33)
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 (33, 34)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 2 of the Law on Combating Trafficking in Persons; Article 270 of the Penal Code (22, 32, 34, 35)
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 10 of the Law on Combating Trafficking in Persons (32, 35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Articles 291–292 of the Penal Code; Article 10 of the Law on Combating Trafficking in Persons (32, 34, 35)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code; Article 10 of the Law on Combating Trafficking in Persons; Article 181 of the Penal Code (32, 34, 35)
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	16	Legislation title unknown(31)
Free Public Education	Yes		Article 23 of the Constitution (22)

\* No conscription (36)

In Niger, the minimum age for hazardous work does not meet the international standard age of 18.(37, 38) The law prohibits hazardous occupations and activities for children in mining, quarrying, manufacturing, construction, tanneries, and slaughterhouses.(33, 34) However, these prohibitions do not cover agriculture, an area in which there is evidence of work in unhealthy environments that expose children to hazardous substances and dangerous equipment.(1, 8, 33) In addition, children performing unpaid or non-contractual work do not have the same protections under child labor laws and regulations as do children performing contractual work.(4, 25)

The Penal Code prohibits employing and provoking children to beg; however, the penalties outlined in Article 181 are lenient and may not prevent violations.(34) Article 178 of the Penal Code also provides penalties for vagrancy, which is defined by Article 177 as a person without a home, an occupation, or means of subsistence. This Article may compel children who live on the streets to engage in the worst forms of child labor.(34, 39)

In May 2015, the Government adopted the Migrant Anti-Smuggling Law, which criminalizes smuggling and the abuse of migrants, including children. This law prescribes penalties of up to 12 years of imprisonment and a fine of up to \$11,500 against those convicted of migrant smuggling, which is a punishment commensurate with the penalties prescribed for other serious crimes, such as rape.(40, 41) It also provides for legal protection and social assistance to migrant victims of smuggling. Under the Migrant Anti-Smuggling Law, children identified as victims of migrant smuggling are to receive specialized assistance that addresses the particular needs of minors, including educational support and family reintegration services.(40, 41)

### 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, 11, 12)
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.(12)
National Human Rights Commission (CNDH)	Receive child labor complaints, investigate violations, and report violations to courts.(11, 12)
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 34 centers across the country.(4, 11, 12)

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

Organization/Agency	Role
Ministry of Justice's Judicial Police Sections	Oversee cases involving juveniles at regional and district levels.(4, 12)
District and Magistrate Courts	Address children's issues, including child labor, through 10 district courts and 36 magistrate courts.(4, 12)
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.(12, 37)

### *Labor Law Enforcement*

In 2015, labor law enforcement agencies in Niger took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown (12)	Unknown (31)
Number of Labor Inspectors	52 (12)	60 (31)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (31)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Yes (31)
■ Training on New Laws Related to Child Labor	Yes (12)	Yes (31)
■ Refresher Courses Provided	Yes (12)	Yes (31)
Number of Labor Inspections	Unknown (12)	Unknown (31)
■ Number Conducted at Worksite	Unknown (12)	Unknown (31)
■ Number Conducted by Desk Reviews	Unknown (12)	Unknown (31)
Number of Child Labor Violations Found	Unknown (12)	Unknown (31)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (12)	Unknown (31)
■ Number of Penalties Imposed That Were Collected	Unknown (12)	Unknown (31)
Routine Inspections Conducted	Yes (12)	Yes (31)
■ Routine Inspections Targeted	Unknown (12)	Yes (31)
Unannounced Inspections Permitted	Unknown (12)	Yes (31)
Unannounced Inspections Conducted	Unknown (12)	Yes (31)
Complaint Mechanism Exists	Yes (37)	Yes (31)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (31)

The Labor Inspectorate has budgeted \$117,000 toward investigating cases of child labor in 2015. This funding is insufficient; inspectors also lack the access to transportation, fuel, and tools required to satisfactorily investigate and document child labor cases.(31) In 2015, the Ministry of Employment, Labor and Social Security (MELSS) employed 60 labor inspectors whom they disseminated throughout Niger to enforce labor laws, including those related to child labor. Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. According to the ILO's recommendation of one inspector for every 40,000 workers in less developed countries, Niger should employ roughly 157 inspectors in order to adequately enforce labor laws throughout the country.(31, 42-44) While labor inspectors are legally allowed to conduct unannounced inspections in both formal and informal sectors, MELSS admits that many cases of child labor in the informal sector are not investigated because of their remote locations and the inspectorate's lack of resources.(31)

Inspectors occasionally refer children rescued from dangerous work situations to government social services, which refer these children to NGOs.(31)

### *Criminal Law Enforcement*

In 2015, criminal law enforcement agencies in Niger took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown(12)	Yes(31)
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown(12)	Yes(31)
■ Refresher Courses Provided	Unknown(12)	Yes(31)
Number of Investigations	Unknown(12)	Unknown(31)
Number of Violations Found	Unknown (12)	Unknown(31)
Number of Prosecutions Initiated	Unknown(12)	0(31)
Number of Convictions	Unknown(12)	0(31)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes(12)	Yes(31)

The Government of Niger does not differentiate between labor inspectors and criminal investigators for cases involving child labor. The 60 labor inspectors refer complaints to criminal law enforcement. (31) Investigators received basic and continued training on matters related to the laws and the enforcement of laws relating to child labor during the reporting period.(31) In 2015, Niger did not initiate any prosecutions, nor were there any convictions in cases involving child labor.(31) An informal referral mechanism between NGOs, the police, and government social services is in place, but the resources and facilities for the social services agencies are inadequate.(31) While the exact number of children removed from the worst forms of child labor is unavailable, removals are only conducted in the most extreme cases of exploitation, according to MELSS.(31)

#### 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 8).

**Table 8. 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.(37)
National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP)	Coordinate efforts to combat human trafficking, and to develop and implement policies and programs related to human trafficking.(12, 35, 39) 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.(37, 45)
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.(12, 37, 39, 45)
National Committee to Combat Child Labor in Agriculture	Coordinate policies and programs to combat child labor in agriculture.(46) Chaired by the Ministry of Agriculture and includes representatives from 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.(47)

In 2015, the ANLTP, in collaboration with international partners, organized training and awareness raising campaigns on the newly adopted Migrant Anti-Smuggling Law.(48) However, reports indicate that the effectiveness of the established coordinating mechanisms to address child labor, including its worst forms, was hampered by budget constraints.(11, 49) In addition, the number of calls received by the ANLTP's hotline that involve child trafficking is unknown.

#### 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 9).

**Table 9. 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.(5, 37)

**Table 9. Policies Related to Child Labor (cont)**

Policy	Description
Decent Work Country Program (2012–2015)	Describes the child labor situation in Niger and includes targets for the elimination of child labor. Falls under the direction of MELSS.(11, 50, 51)
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.(11, 12, 52)
National Action Plan to Combat Trafficking in Persons (2014–2018)	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. Led by the ANLTP. (11, 53, 54)
National Social Protection Strategy	Aims to improve the quality of, and access to, basic education and health services; includes strategy to combat child labor. Overseen by the Ministry of Population, Women's Promotion and Child Protection.(55)
UNDAF (2014–2018)	Promotes improved access to education for vulnerable children and aims to build the capacity of the Government to address child labor. Falls under the direction of the Ministry of Planning, Territorial Administration, and Community Development, and supported by international donors. (56)
Education and Training Sectorial Program (PSEF) (2014–2024)*	Sets out a comprehensive map to improve the quality of, and access to, basic and higher education. Led by the Ministry of Education.(11, 57)
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. Overseen by the Prime Minister's office and supported by international donors.(58, 59)
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.(60, 61) Overseen by the Prime Minister's Office.(60)

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

In 2015, the Government of Niger drafted the latest version of the National Action Plan to Combat Child Labor, which aims to eliminate the worst forms of child labor in Niger by 2025.(12, 31) The Plan also addresses child labor in various sectors, including agriculture, mining, domestic work, and begging.(5) However, the Plan has yet to be adopted.(5, 11, 12)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Niger funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Social Programs to Address Child Labor**

Program	Description
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.(62)
Project Against Forced Labor and Discrimination (PACTRAD II) (2014–2015)	Government program, supported by the ILO, to combat forced labor and discrimination practices against women and children in Niger.(63, 64) In 2015, conducted a training session for journalists on forced labor and decent work.(65)
Centers for Education, Legal, and Preventive Services (SEJUP)†	Government program, in collaboration with UNICEF, aiming to provide food, shelter, education, and vocational training to street children, many of whom are victims of child labor. Operates 34 centers located nationwide.(11, 66)
WFP	UN program supporting cash-for-work schemes and other initiatives to address food insecurity. In 2015, allocated \$420,000 in food assistance to 2,648 children in Niger.(59, 67)
Niger Safety Net Project (2011–2017)	World Bank cash transfer and cash-for-work project aiming to establish a safety net system for vulnerable households. In 2015, provided more than \$10.5 million in cash to work transfers to 44,800 beneficiaries located in Dosso, Maradi, Tahoua, Tillabery, and Zinder.(68)
Second Chance Community Literacy Education and Vocational Training Program	Government program, collaborating with Volunteers for Education Integration, (a local NGO) that provides literacy and vocational training opportunities to vulnerable children.(37)
Niger Education and Community Strengthening (2012–2016)	USAID and Millennium Challenge Corporation-funded, \$7.6 million, 4-year project implemented by the Ministry of Education and Plan International to increase access to quality education for girls and boys.(69)



**Table 10. Social Programs to Address Child Labor (cont)**

Program	Description
Resilience in the Sahel-Enhanced (RISE) (2014–2019)	USAID program helping vulnerable communities in Niger and Burkina Faso mitigate vulnerabilities, shocks, and stresses by facilitating inclusive growth.(70) Aims to reach an estimated 1.9 million beneficiaries.(71)
Migration Forum	Government forum, with support from the ILO-IPEC and a local NGO, that combats the migration of youth, especially girls, from rural to urban areas.(37)

† Program is funded by the Government of Niger.

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.(16)

## 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Make publicly available the law containing the official compulsory education age.	2015
	Raise the minimum age for hazardous work to 18 to comply with international standards.	2009 – 2015
	Ensure the types of work that children perform in Niger that fall into a R.190 category, such as work in unhealthy environments, are prohibited to children under 18.	2014 – 2015
	Ensure that the law's minimum age provisions and protections apply to children in unpaid or non-contractual work.	2015
	Ensure that the Penal Code provides higher penalties for inciting people to beg and that street children are not compelled to engage in the worst forms of child labor.	2009 – 2015
Enforcement	Increase efforts to ensure that perpetrators of traditional forms of caste-based servitude and hereditary slavery are prosecuted according to the law.	2015
	Increase the 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 – 2015
	Ensure inspections and enforcement efforts take place in the informal sector, in which most child labor occurs.	2014 – 2015
	Make efforts to increase the number of prosecutions and convictions in cases related to the worst forms of child labor.	2010 – 2015
	Collect and publicize information on the number and type of labor inspections, violations, complaints, citations, and penalties related to child labor, as well as the number of criminal law investigations and violations.	2012 – 2015
	Ensure government social services have sufficient resources and facilities to provide the necessary care to children withdrawn from hazardous labor.	2015
Coordination	Ensure that the CNCLTP, ANLTP, 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 receive adequate funding to fulfill their missions.	2011 – 2015
	Disaggregate complaints made to the ANLTP's hotline by number of children trafficked.	2013 – 2015
Government Policies	Adopt and implement the National Action Plan to Combat Child Labor.	2009 – 2015
	Integrate child labor elimination and prevention strategies into the PSEF, the Nigeriens Nourish Nigeriens Development Plan, and the Strategy for Development and Security in Sahel-Saharan Areas of Niger.	2013 – 2015

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Increase access to education by— <ul style="list-style-type: none"> <li>Increasing school infrastructure, teacher availability, and school supplies;</li> <li>Ensuring school administrators and teachers allow children without birth certificates to attend school; and</li> <li>Making sure all children, including refugees, have access to education.</li> </ul>	2013 – 2015
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, and mining.	2009 – 2015
	Implement a program to target children exploited by religious instructors.	2011 – 2015

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