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INTRODUCTION

1. SOS Children's Villages Nigeria presents this submission concerning the general situation of children in Nigeria for consideration by the UPR Working Group at its 45th session.
2. This report was prepared and submitted by SOS Children's Villages Nigeria. The organisation was established in the 1970s, few years after the Nigeria civil war. Our target group are children without, or at risk of losing, parental care. We provide alternative care, support for youth leaving care and family strengthening programmes.
3. This submission of SOS Children's Villages Nigeria focuses on improving livelihood of street and nomadic children, adoption of the National Social Protection Policy focusing on alternative child care, government system strengthening on data capturing and processing of vulnerable children and institutionalizing child participation through Child Rights Advocacy.

I. THE RIGHT TO EDUCATION FOR ALMAJIRI CHILDREN

A. Third-cycle UPR recommendations to Nigeria

4. During the third cycle, several states recommended the Nigerian government to intensify efforts to ensure inclusive and quality education for all children and fight school drop-out.¹

B. Legal and Institutional Framework

6. Here are some key policy developments related to Almajiri and nomadic education:
 - a. National Commission for Almajiri Education: On May 27th 2023, the National Commission for Almajiri Education Bill was signed by immediate past President, Muhammadu Buhari. This commission develops policies and provides guidelines concerning almajiri education and out-of-school children in Nigeria. The Almajiri education programme was introduced in 2014 under the mandate of the National Basic Education Commission (UBEC), with the aim of integrating basic education into the Almajiri system, providing opportunities for Quranic education alongside formal education components.
 - b. Ban on Almajiri System in Northern Nigeria: In 2019, some northern states in Nigeria implemented a ban on the Almajiri educational system, citing concerns over the living conditions and vulnerability of Almajiri children. The ban aimed to address the issues of child abuse, exploitation, and social neglect associated with the system. The ban called for the registration, regulation, and integration of Almajiri schools into the formal education system. It also emphasized the need for collaboration between federal and state governments, religious leaders, communities, and stakeholders to ensure the effective implementation. Despite resistance based on religious and cultural sentiments, there is need to review of the policy to make it more culture and religious sensitive.

¹ A/HRC/40/7, Report of the Working Group on the Universal Periodic Review on Nigeria, 26 December 2018, See recommendations 148.231 (Slovakia); 148.232 (Algeria); 148.233 (Tunisia); 148.234 (Djibouti); 148.237 (Lebanon); 148.280 (Nepal); 148.225 (Norway).

- c. **Nomadic Education Policy:** The Nomadic Education Programme (NEP) was initiated in the early 1990s to address the educational needs of pastoralist and nomadic communities. The program was established under the National Commission for Nomadic Education (NCNE). The policy focused on settlement schools to cater to the educational needs of nomadic children. The curriculum aimed to strike a balance between conventional subjects and pastoralist knowledge and skills. The program also sought to address social issues, such as child labour and early marriage, prevalent among nomadic communities. So far, the NCNE has begun a skill training for youth in rural areas with improved literacy level among Nomads.

B. Situational Context of Almajiri Children in Nigeria

9. The Almajiri system has received significant attention and criticism due to its inability to provide a well-rounded education and address the socio-economic needs of children. The situation of Almajiri children in Nigeria therefore includes:

a. **Living Conditions:** Almajiri children often live in overcrowded and unsanitary conditions in boarding houses known as "Tsangaya." These facilities are typically lacking in basic amenities, such as clean water, sanitation, and proper healthcare. The living conditions can contribute to the spread of diseases and negatively impact the overall well-being of the children.

b. **Education:** While the Almajiri educational system aims to provide Islamic education, it often falls short in providing a comprehensive education that includes literacy, numeracy, and vocational skills. Many Almajiri children have limited access to formal education and lack the necessary skills to succeed in life.

c. **Poverty and Begging:** Due to the lack of support and economic opportunities, some Almajiri children resort to street begging as a means of survival. Begging exposes them to various risks, including exploitation, abuse, and hazardous conditions.

d. **Social Stigmatization:** Almajiri children often face social stigma and discrimination in Nigerian society. They are sometimes perceived as nuisances or associated with negative stereotypes, which can further marginalize them and limit their opportunities for social integration.

e. **Vulnerability:** Almajiri children are vulnerable to various forms of abuse, including physical, emotional, and sexual abuse. They may also be at a higher risk of child trafficking and recruitment into other informal religious schools with exploitative practices.

f. **Policy and Governance Challenges:** The Almajiri educational system has faced challenges related to inadequate governance, limited regulation, and insufficient resources. Policy responses and implementation have varied across different states, resulting in inconsistent support and outcomes for Almajiri children.

C. Recommendations:

10. We recommend the government of Nigeria to:
- a. Ensure consistency in the support of Almajiri children by government and other stakeholders, to improve their standard of living, reduce their vulnerability, and facilitate their inclusion into society.
 - b. Strengthen the Almajiri education curriculum to focus on cognitive and vocational development.

THE RIGHT TO SOCIAL PROTECTION

A. Third-cycle UPR recommendations to Nigeria

11. At the last review, recommendations were made by for the Nigerian government to
- a. Take further measures to improve the socioeconomic conditions of women, children and other vulnerable groups.²
 - b. Continue to strengthen social programs in favor of the most vulnerable groups, especially women and children³
 - c. Continue efforts to protect human rights to ensure their effective implementation by improving living conditions and achieving sustainable development in the country⁴
 - d. Continue efforts to adopt a development policy to reduce poverty in the country⁵
 - e. Intensify efforts to improve the well-being of all its citizens, especially the most vulnerable groups ⁶
 - f. Continue to take effective measures to assist the communities in need by providing health-care and education facilities and fostering the means for the creation of alternative livelihood options ⁷

B. Legal and Institutional Framework

12. The Government of Nigeria has taken the following steps towards the development and implementation of social protection programs and initiatives to address poverty, vulnerability, and inequality:
- a. National Social Protection Policy: The Social Protection Policy⁸ for Nigeria is the primary document relating to public welfare in Nigeria. Approved in October 2022 by the federal government of Nigeria, the policy is aimed at improving the quality of life of Nigerian citizens, and reduce poverty.
 - b. Conditional Cash Transfer (CCT) Program: The Conditional Cash Transfer (CCT) program is one of the key social protection initiatives in Nigeria. It

² Bhutan (148.211)

³ Bolivian Republic of Venezuela (148.212)

⁴ Libya (148.213)

⁵ Yemen (148.214)

⁶ Zimbabwe (148.215)

⁷ Fiji (148.218)

⁸ http://nassp.gov.ng/wp-content/uploads/2021/10/Draft-Revised-New-NSPP_191021.pdf

targets the most vulnerable households and provides them with regular cash transfers, contingent upon meeting specific conditions such as sending children to school and accessing healthcare services. The program is implemented by the National Social Safety Nets Coordinating Office (NASSCO) under the Ministry of Humanitarian Affairs, Disaster Management, and Social Development. The CCT program aims to alleviate poverty, enhance human capital development, and promote social inclusion. Initiated in 2016, the programme has reached 609 local governments, 6,272 wards, and 48,789 communities and has reached a total of 1,940,325 beneficiaries in the National Beneficiary register from 2016 to November 2022. In December 2022, the government halted the program, only to resume in June 2023.⁹¹⁰

- c. **National Social Investment Program (NSIP):** NSIP is a government initiative that encompasses several social protection programs in Nigeria. It was established in 2015 to address the immediate and long term socio-economic imbalance and inequalities. It includes programs such as the Home-Grown School Feeding Program, N-Power (providing employment opportunities for young graduates), Government Enterprise and Empowerment Program (providing loans to small businesses), and the National Cash Transfer Program (targeting the poorest households). The NSIP focuses on poverty reduction, job creation, social inclusion, and enhancing livelihoods.

C. Situation of Social Protection in Nigeria

13. In spite of various efforts¹¹ by government to expand social protection programs, the social protection situation in Nigeria is characterized by issues ranging from persistent challenges of poverty, inequality, and vulnerability, among others, which threatens the unity of families and the support which children need to grow and develop. The following provides context on the key social protection challenges in the country:
 - a. **Poverty and Inequality:** Nigeria faces high levels of poverty and income inequality. A significant portion of the population lives below the poverty line, with limited access to basic necessities, healthcare, and education. Addressing poverty and reducing inequality are major priorities for social protection interventions.
 - b. **Coverage and Targeting Challenges:** Despite efforts to expand social protection programs, there are challenges in terms of coverage and targeting. Many vulnerable individuals, families and communities still lack access to social assistance due to limited resources, inadequate infrastructure, and difficulties in identifying and reaching the most marginalized groups.
 - c. **Governance and Coordination challenges:** Effective governance and coordination of social protection programs are crucial for their success. Nigeria has made progress in establishing institutions such as the National Social Safety Nets Coordinating Office (NASSCO) and the Ministry of Humanitarian Affairs, Disaster Management, and Social Development to oversee social protection initiatives. However, ensuring effective coordination among various government agencies and stakeholders remains an ongoing challenge.

⁹ <https://businesspost.ng/general/fq-to-suspend-conditional-cash-transfer-scheme-after-six-years/>

¹⁰ <https://pmnewsnigeria.com/2023/06/26/nigerian-govt-resumes-conditional-cash-transfer-payment-in-ondo/>

¹¹ Some of these programs include the Conditional Cash Transfer (CCT) program, the National Cash Transfer Program, and the Home-Grown School Feeding Program. These initiatives aim to provide financial assistance, improve access to education and healthcare, and reduce the vulnerability of targeted households

- d. **Informal Sector and Informal Social Protection:** The majority of Nigeria's population is engaged in the informal sector, which poses challenges for traditional social protection mechanisms. Many individuals rely on informal social networks, community-based initiatives, and informal savings and credit groups for support in times of need. Strengthening and formalizing these informal systems can complement formal social protection efforts.
- e. **Disaster and Crisis Management:** Nigeria faces recurrent natural disasters, conflicts, and humanitarian crises, which exacerbate vulnerability and necessitate emergency social protection responses. Enhancing disaster and crisis management mechanisms, including timely and effective social protection interventions, is essential to support affected populations.
- f. **Data and Monitoring:** Reliable and up-to-date data is crucial for the design, implementation, and evaluation of social protection programs.

D. Recommendations:

14. We recommend the government of Nigeria to:

- Urgently implement social protection programmes aiming at reducing the rising economic burdens being faced by Nigerians, particularly the most marginalized groups.
- Partner with organizations that work with communities and marginalized groups to provide inclusive social assistance.
- Build capacity to strengthen collaboration between government agencies involved in social development.
- Strengthen and regulate the informal systems to complement formal social protection efforts.
- Implement family focused social interventions.
- Continuous investment in improving data collection and management systems to enhance targeting, monitoring, and impact assessment of social protection initiatives.

II. DATA COLLECTION OF VULNERABLE CHILDREN

A. Third-cycle UPR recommendations to Nigeria

15. The issue of data collection of vulnerable children was not addressed at the last UPR of Nigeria and no recommendations were made to the government in this regard. While, in 2010, the Committee on the Rights of the Child encouraged Nigeria to step up its efforts in strengthening its data collection system by fostering collaboration between relevant stakeholders and the annual publication of reports on the state of children's rights in the country.¹²

B. Legal and Institutional Framework

16. The following are the instruments governing the protection of the rights of vulnerable children in Nigeria:

- a. **Child Rights Act (2003):** The Child Rights Act¹³ is a federal law that provides a comprehensive framework for the protection and welfare of children in Nigeria. The act prohibits child marriage, child labor, child trafficking, and other forms of

¹² CRC/C/NGA/CO/3-4, CRC Concluding Observations to Nigeria, 21 June 2010, para. 19.

¹³ <https://www.refworld.org/pdfid/5568201f4.pdf>

exploitation that puts children under vulnerable situations. It also establishes the rights of children to education, healthcare, and protection from abuse, neglect, and discrimination.

- b. Violence Against Persons (Prohibition) Act (2015): This Act¹⁴ is a federal law that criminalizes various forms of violence, including violence against children. It specifically addresses child abuse, child trafficking, and other acts of violence against children.
- c. Trafficking in Persons (Prohibition) Enforcement and Administration Act (2015): This Act¹⁵ is a federal law that criminalizes human trafficking, including child trafficking. It provides for the prevention, prosecution, and protection of victims of trafficking. The law establishes the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) as the primary agency responsible for combating human trafficking in Nigeria.
- d. National Policy on Child Labor (2003): This Policy provides a framework for addressing child labor issues in Nigeria¹⁶. It aims to eliminate all forms of child labor and protect children from economic exploitation. The policy emphasizes the importance of education, awareness, law enforcement, and social support for affected children and their families.
- e. Universal Basic Education Act (2004): This Act¹⁷ establishes the right to free and compulsory basic education for every Nigerian child. It outlines provisions for access to quality, protected and inclusive education.

C. Situation of Vulnerable Children in Nigeria

17. The following is the situation of vulnerable children in Nigeria:

- a. Street Children: According to a 2019 estimate by UNICEF, there were approximately 1.2 million children living on the streets in Nigeria.
- b. Orphans and Vulnerable Children (OVCs): The exact number of OVCs in Nigeria is challenging to determine. While the FMWA in 2008, places the figure as 17.5 million, there has not been any update of this figure since 2008.
- c. Internally Displaced Children: As of 2021, Nigeria had experienced significant internal displacement due to conflicts, particularly in the northeastern region. The International Organization for Migration (IOM) reported that there were over 2.2 million internally displaced persons (IDPs) in Nigeria, including a significant number of children.
- d. Child Laborers: According to the International Labor Organization (ILO), in 2019, Nigeria had an estimated 15.5 million child laborers, accounting for about 42% of the country's children aged 5 to 17.
- e. Child Trafficking Victims: The exact number of child trafficking victims in Nigeria is difficult to ascertain due to its clandestine nature. The United Nations Office on Drugs and Crime (UNODC) reported that Nigeria accounted for one-third of all detected victims of human trafficking in West Africa in 2018.
- f. Children with Disabilities: According to UNICEF, approximately 1.3 million children in Nigeria have some form of disability. However, the exact number of vulnerable children with disabilities may be higher due to underreporting and limited access to services.

¹⁴ <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104156/126946/F-1224509384/NGA104156.pdf>

¹⁵ <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101267/121929/F958851509/NGA101267%20Part%201.pdf>

¹⁶ <https://www.refworld.org/pdfid/5448a84a0.pdf>

¹⁷ <file:///C:/Users/AchumVal/Downloads/NGA87623.pdf>

- g. Child Brides: Nigeria has one of the highest rates of child marriage globally. According to UNICEF, as of 2020, about 44% of Nigerian women aged 20-24 were married before the age of 18.

D. Recommendations

18. We recommend the government of Nigeria to begin periodic review of the number and situation of vulnerable children in Nigeria.

III. CHILD PARTICIPATION IN DECISION-MAKING

A. Third-cycle UPR recommendations to Nigeria

19. At the last review, there were no recommendations on this topic. In 2010, the Committee on the Rights of the Child made important recommendations to Nigeria. There is call for the strengthening of the Children's Parliaments to contribute to governance as they are representative of children from different backgrounds, including children with disabilities. The Committee also urged the government to ensure that the right of the child is respected and implemented in all judicial and administrative proceedings.¹⁸

B. Legal and Institutional Framework

20. The Child Rights Act (2003) is the primary legislation governing the rights of children in Nigeria. Although Act (2003) does not clearly provides for the right of child participation in advocacy, part II of the CRA 2003 provides for "freedom of association and peaceful assembly", amongst others.

C. Child Participation in Advocacy in Nigeria

21. There are children parliaments in most states in Nigeria, and in Nigeria's Federal Capital Territory. However, such participation and dialogue on national issues for participation of children requires support to go beyond ceremonial functions towards law-making in Nigeria.

D. Recommendations:

22. We recommend the government of Nigeria to observe the following in support of child participation in advocacy in Nigeria:
- a. Clearly articulate the right for children to participate in advocacy, as this is ambiguously spelt out in the Child's Rights Act 2003.
 - b. Create platforms for children to participate in advocacy, create opportunities for children to share their experiences, express their opinions, and contribute to the development and implementation of policies and programs.

¹⁸ CRC/C/NGA/CO/3-4, CRC Concluding Observations to Nigeria, 21 June 2010, para. 35 (a) (b) (c).

- c. Build the capacity of children to understand their rights, develop advocacy skills, and effectively engage with stakeholders.
- d. Prioritize adequate safeguarding to protect children from harm, ensure their privacy, and address any potential risks or challenges associated with their involvement in advocacy activities.
- e. Strengthen participation of children beyond ceremonial functions towards law-making in Nigeria.