

THE CHALLENGES OF ENFORCING THE CHILD'S RIGHTS ACT IN NIGERIA

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NOVEMBER, 2025

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**BEING A LONG ESSAY WRITTEN AND SUBMITTED TO THE FACULTY OF LAW,
UNIVERSITY OF BENIN, BENIN CITY, EDO STATE IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE AWARD OF BACHELOR OF LAW DEGREE (LL.B)
OF THE UNIVERSITY OF BENIN, BENIN CITY, EDO STATE**

NOVEMBER 2025

CERTIFICATION

I, PEACE AGIH, with Matriculation Number LAW2002829, hereby certify that apart from references to other persons' works which have been duly acknowledged, the entire work is a product of my research, and this project has neither in whole nor in part been presented for another degree elsewhere.

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APPROVAL

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DEDICATION

I Dedicate this project to God Almighty, whose grace strengthened me to remain resilient through every challenge encountered.

I also dedicate it to my parents for their unwavering love, encouragement, and continuous support.

ACKNOWLEDGEMENT

My deepest gratitude goes first to God, whose guidance, wisdom, and grace sustained me throughout this journey.

I sincerely appreciate my wonderful parents, Mr and Mrs. Isaiah Agih, and my dear siblings for their steadfast love and support. My heartfelt appreciation also goes to my Kpan family, your love means more than words can express and to the Luminary Class of 2025 for being such an inspiring community.

I am profoundly grateful to all my lecturers in the Faculty of Law, University of Benin, for being instrumental in my academic growth from 100 level till date.

A Special appreciation goes to Dr. Hadiza Okonrubo for her unwavering support during the course of this project, Prof. Attah, Prof. Emeka Chianu, and our distinguished Dean, Prof. Bright Bazuaye, for their dedication and leadership.

My sincere thanks go to project supervisor, Prof. Osaretin Aigbovo, contributions, and our project coordinator, Dr Osuji, for his support.

I am grateful to my amazing friends and colleagues Sarah Umukoro, Omoh Ojeanor, Elizabeth Olorunnishola, Opuere Excel, Davina Ofodile, Osasere, Maju, Aristotle (Osas), Ese Aize, Emmanuel Egbele, Sorhue Lawson and to Melody, whom I especially appreciate for stepping in during a challenging moment.

My appreciation also goes to my Radiant Juris Academy (RJA) family and RJA Ambassadors for being a constant source of motivation and inspiration. A special thank you to Miss Goodness Agoziem, who offered guidance at the earliest stages of this project.

To my senior and junior colleagues from UNIBEN and across Nigeria and West Africa, to friends from other faculties, and to all the organizations in which I volunteered and served as a student thank you for being part of my journey.

Finally, thank you University of Benin, thank you Faculty of Law, and thank you Luminary Class of 2025 for shaping this remarkable chapter of my life.

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Penal Code Act

Evidence Act 2011

The Nigeria Police Act 2020.

Administration Of Criminal Justice Act 2015

Labour Act, Cap L1, Laws of the Federation of Nigeria, 2004.

Violence Against Persons Prohibition Act, 2003

Trafficking in Persons (Prohibition) Enforcement and Administration Act, 2003 (repealed by the 2015 Act)

Borno State Child Protection Law 2021

Akwa Ibom Child Rights Law 2008

Enugu State Child Rights and Responsibility Law 2016

Oyo State Child Right Law 2006

Nasarawa State Child Rights Law 2005

Kano State Child Protection Law 2023

International statutes

United Nations Convention On The Right Of The Child 1989 Children

United Nations Standard Minimum Rules for Non-Custodial Measures 1990

Vienna Convention On The Law Of Treaties 1969

Office of the High Commissioner of Human Rights, Status of ratification of the Convention on the Rights of the Child, UN Treaty Reports.

LIST OF ABBREVIATIONS

CRA Child Right Act

CRL Child Right Law

CRRL Child Right And Responsibility Law

OYOMWA-RRT Oyo Ministry Of Women Affairs Rapid Response Team

BSCPL Borno State Child Protection Law

UNCRC United Nation Convention On The Rights Of A Child

ACRWC African Charter On The Rights And Welfare Of The Child

UNICEF United Nation Children Emergency Fund

NAPTIP Trafficking In Persons (Prohibition) Enforcement and Prohibition Act

ACJA Administration Of Criminal Justice Act

VAPP Violence Against Persons Prohibition Act

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Police V Sunmonu (1957) WNLR, 23

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ABSTRACT

This research examines the challenges hindering the effective enforcement of the Child Rights Act (CRA) across various states in Nigeria. Although the CRA has been adopted at the national level, its functional operation varies significantly from state to state due to a range of socio-cultural, economic, religious, legal, and institutional factors. Through doctrinal analysis, this study conducts a comparative assessment between states where the Child Rights Law (CRL) is fully operational and those where it is less effectively implemented.

To provide a balanced perspective, the research incorporates case studies from one state in each of Nigeria's six geopolitical zones, focusing on two critical issues—child labour and child marriage. These are examined as persistent social ills that continue to thrive despite statutory prohibitions under the CRA and state CRLs. The study investigates why, in some states, the provisions are observed and enforced, while in others, deep-rooted cultural and religious norms undermine their application.

By exploring the socio-cultural dynamics and specific state contexts that perpetuate these practices, this research aims to uncover the systemic barriers to the CRA's practical enforcement. The study concludes with recommendations on how to achieve more uniform and functional implementation of the CRA across Nigeria, ensuring stronger protection of children's rights irrespective of geographical or cultural boundaries.

CHAPTER ONE

1.1 INTRODUCTION

1.2 BACKGROUND TO THE STUDY

The protection of children's rights has long been a matter of global concern, with both international and regional human rights instruments placing significant emphasis on safeguarding the welfare of children. The 1989, world leaders made a historic commitment to the world's children to protect Nations Convention on the Rights of the Child.¹ The CRC is a legally-binding international agreement which sets out the civil, political, social, economic and cultural rights of every child regardless of their race, religion or abilities.² The ACRWC³ also known as the Children's Charter is a comprehensive instrument that sets out the civil, political, economic, social and cultural rights of children as well as defining the universal principles and norms for the status of children.⁴ State parties are obliged to: '...undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present convention'⁵ The rights enumerated in the CRC are accessible to children in Nigeria only through incorporation into the constitution or the municipal laws of the state. A treaty that is not

¹ UNICEF 'Convention on the rights of the child' < <https://www.unicef.org/child-rights-convention> > accessed September 4th 2025

² Save the Children 'Every child has the right to survival, protection and education' <<https://www.savethechildren.org.uk/what-we-do/childrens-rights/united-nations-convention-of-the-rights-of-the-child>> Accessed September 4th 2025.

³ African Charter on the Rights and Welfare of the Child 1990< <https://au.int/en/treaties/african-charter-rights-and-welfare-child> > accessed September 4th 2025.

⁴ ibid

⁵ Art 4 CRC & Art 1 ACRWC

incorporated into the municipal law is as good as inconclusive.⁶ Nigeria having ratified the UNCRC,⁷ thereby agree to ‘respect and ensure’ the children’s rights set forth therein.⁸

Nigeria thereby committed itself to conform its legislation, and administrative practice to the requirement contained in the CRC, the state also obliged itself to report periodically to the Committee on the Right of the Child stating the measures it has adopted to give effect to the rights recognised in the CRC.⁹ This separate treaty on children established a new human rights standard, both in its substantive content and its implementation procedure. Most importantly, it set out in legally binding terms comprehensive rights of the child (Cohen).¹⁰ It is worthy of note, however, that the Child Right Act has now been applicable to the whole of Nigeria according to reports.¹¹ Although some reports suggests only 34 states have adopted the CRA,¹² the point therefore to note is that all six geographical region has domesticated the CRA.

⁶ Koh, Harold Hongju ‘How is International Human Rights Law Enforced?’ (Fall 1999) Indiana Law Journal 74 1397
1413<<https://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=2279&context=ilj> > accessed September 4th 2025.

⁷ Office of the High Commissioner of Human Rights, Status of ratification of the Convention on the Rights of the Child, available At< <https://www.unicef.org/reports/implementation-handbook-convention-rights-child> > accessed September 4th 2025.

⁸ Art 26 Vienna convention Section 1 part iii
<https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf > accessed September 4th 2025.

⁹ ibid

¹⁰ 10. The Developing Jurisprudence of the Rights of the Child by Cynthia Price Cohen<
<https://scholarship.stu.edu/cgi/viewcontent.cgi?article=1722&context=stlr>> accessed September 4th 2025.

¹¹ Universal Children’s Day 2024: Nigeria’s Efforts To Advance Children’s Rights And End Violence Against Children By Samuel Anyanwu -November 20, 2024 <https://fmino.go.v.ng/universal-childrens-day-2024-nigerias-efforts-to-advance-childrens-rights-and-end-violence-against-children/> accessed 29th August 2025.

¹² <https://www.thecable.ng/child-rights-act-now-adopted-in-34-states-says-minister/> accessed 29th August 2025; FG: 34 States Have Domesticated Child’s Rights Act By Steve Aya
<<https://www.thisdaylive.com/2022/11/29/fg-34-states-have-domesticated-childs-rights-act/>>accessed 29th August 2025.

1.3 STATEMENT OF THE PROBLEM

Despite the legislative framework established by the CRA and CRLS, violations of children's rights remain prevalent in many parts of Nigeria. Harmful practices such as child marriage and child labour persist, often justified by cultural traditions, religious beliefs, or economic necessity. Child Marriage forms part of the cultural or religious practices of some communities across Africa. It is not targeted at the girl-child alone as this practice also affects the male child even though it is acknowledged that the girl child is disproportionately affected by this practice.¹³ The United Nation Children Emergency Fund (UNICEF) reported that across the globe, levels of child marriage are highest in West and Central Africa, where 1 in 3 young women were married before age 18.¹⁴ The Reports also stated that globally, 115 million boys and men were married before age 18. The countries in which child marriage among boys is most common are geographically diverse and differ from the countries in which the practice is most common among girls. While child grooms are less numerous than child brides, they similarly have experienced a rights violation that cuts short their childhood. Further research is needed on the drivers of the practice and its effect on child grooms. Also UNICEF reported Children around the world are routinely engaged in paid and unpaid forms of work that are not harmful to them. However, they are considered to be engaged in child labour when they are either too young to work, work for long hours, or are involved in hazardous activities that, by its nature or

¹³ A O Olaborede, N S Rembe, 'Reflections on the Debate Between Universality of Human Rights and Cultural Relativism in the Context of Child Marriage in Africa' spectrum juris vol 32(2)2018
<<https://www.saflii.org/za/journals/SPECJU/2018/8.pdf>> accessed September 4th 2025.

¹⁴ UNICEF "Child marriage is a violation of human rights, but is all too common" April 1 2025 <<https://data.unicef.org/topic/child-protection/overview/>> accessed September 4th 2025

circumstances, is likely to harm children's health, safety or morals.¹⁵ Moreover in Nigeria, In some states, the law exists largely on paper, with weak enforcement mechanisms and limited political will to challenge entrenched practices. Why does enforcement vary so widely between states? What are the specific challenges impeding the law's functional operation? What can be done to ensure that the rights guaranteed by the CRA are a lived reality for all Nigerian children?

1.4 RESEARCH OBJECTIVES

The main objective of this study is to examine the challenges hindering the functional operation of the CRA across Nigerian states. Specifically to, it seeks to:

1. Identify the socio-cultural, economic, legal, and institutional barriers to effective CRA enforcement.
2. Give a comparative analysis between states with functional CRA implementation and those with weak or non-existent or enforcement.
3. Investigate the prevalence of child marriage and child labour in selected states and the factors sustaining these practices.
4. Make recommendations for achieving more uniform and effective CRA enforcement across Nigeria.

1.5 RESEARCH QUESTIONS

1. What are the major challenges affecting the enforcement of the CRA in Nigeri
2. Why do some states succeed in implementing the CRA while others lag behind.

¹⁵ UNICEF "Despite progress, child labour still affects nearly 138 million children worldwide" Global estimates 2024 < <https://data.unicef.org/topic/child-protection/child-labour/> > accessed September 4th 2025.

3. What practical measures can be adopted to ensure nationwide functional operation of the CRA

1.6 SIGNIFICANCE OF THE STUDY

This research is significant for several reasons. First, it contributes to academic discourse on child rights law enforcement in federal systems, offering insights into the Nigerian context. Second, it provides policy makers, legislators, and child rights advocates with practical recommendations for improving implementation. Third, it serves as a resource for NGOs, civil society organizations, and community leaders working to protect children from harmful practices. Ultimately, the study seeks to advance the protection of children's rights in Nigeria by bridging the gap between legal provisions and social realities.

1.7 SCOPE AND LIMITATIONS OF THE STUDY

The study focuses on the enforcement of the CRA in Nigeria, with specific attention to child marriage and child labour as representative case studies of persistent violations. It adopts a comparative approach, analyzing one state from each of the six geopolitical zones to capture regional diversity in cultural, religious, and socio-economic dynamics. While other child protection issues exist, they are beyond the scope of this study. Limitations may include access to up-to-date data in certain states and the varying quality of official records.

1.8 RESEARCH METHODOLOGY

This research adopts a doctrinal legal research method, relying on primary sources such as statutes, case law, and international conventions, as well as secondary sources including journal articles, reports, and policy documents. It also incorporates a comparative case study approach,

selecting one state from each geopolitical zone to examine differences in CRA Implementation and enforcement. The analysis will consider both legal texts and socio-cultural contexts to provide a holistic understanding of the challenges.

1.9 LITERATURE REVIEW

Ayua and Okagbue,¹⁶ wrote on “The Rights of the Child in Nigeria” which Considered majorly the Rights has contained in the Children and Young Persons Act and other various laws which were written before the enactment of the Child Rights Act 2003, therefore could not have been able to write on the Rights as provided in the Child Right Act and Child Right Law and the challenges therein. Ahmed A.B. wrote on “An Appraisal of the Legal Rights of the Child in Nigeria”,¹⁷ the author did an intelligent work by establishing the fact that the child rights is part of the fundamental rights as contain in 1999 constitution which is the basis for the legislation of other laws. In analyzing the rights of the child, the writer did an interesting work on addressing the need for practical protection rather than legal protection as the legal framework in child rights in Nigeria have had no practical implementation despite the somewhat rich flavour of legal provisions, international and municipal, of their protection.

¹⁶ Ayua I.A and Okagbue .I, The Rights of the child in Nigeria, Intec Printers Limited, Ibadan, (1996) P.30.< <https://www.nials-nigeria.org/Editedbookcovers/child.pdf> > accessed September 4th 2025.

¹⁷ Ahmed A.B. “An Appraisal of the Legal Rights of the Child in Nigeria”, Bayero Journal of Private and Commercial Law Journal (2015) Vol. 1, < <https://kubanni-backend.abu.edu.ng/server/api/core/bitstreams/01246770-15a2-4ed6-9533-77a5759e7754/content>> accessed September 4th 2025.

Another writer¹⁸ looked at the impediments to the domestication inclusive; political reason, protest by supreme council for sharia in Nigeria, gender discrimination, protection from abuse, access to education, child labor, religious practices, cultural practices ,i.e. early marriage ,female genital mutilation ,tribe mark as the impediments to the domestication of Nigeria child rights act by the various states.¹⁹ Another writer also highlighted some factors impeding child protection in Nigeria cultural diversity, poverty, strict adherence to religious laws, limited access to child rights enforcement and welfare institutions, due to financial constraint, location, structure, discrimination or lack of awareness and made recommendations to the Nigerian child protection system to ensure that the child is fully protected.²⁰ A research revealed that the Nigerian laws though well drafted, are not effectively implemented for the good of the citizens; Proper implementation is necessary as well as constant review to meet with international best practices.²¹ In another research discovered that despite the availability of laws on child rights protection in Nigeria, children's rights were still persistently abused. The research recommended mainly for a regular progress report on State level realization of child rights protection in the country to enable government identify gaps and devise workable solutions.²² Dr. Victor I. Ede and Dr. Dominic Z. Kalu placed the spotlight on the efforts already made by the government and

¹⁸**Nzarga, Felix Daniel.** *Impediments to the Domestication of the Nigeria Child Rights Act by the States.* **Journal of Law, Policy and Globalization**, Vol. 38, 2015, pp. 26–

33.<<https://core.ac.uk/download/pdf/234675068.pdf> >accessed September 4th 2025.

¹⁹ ibid

²⁰ **Osaroei, Georgina Mark.** *Child Protection in Nigeria: An Overview of the Child's Rights Act.* International Journal of Law and Policy Research, 2018

<https://www.academia.edu/100060731/CHILD_PROTECTION_IN_NIGERIA_AN_OVERVIEW_OF_THE_CHILDS_RIGHTS_ACT > accessed September 4th 2025

²¹ **Obidimma, Angela E., and Chinemerem Chimezie Nwokoma.** *Legal Regime for the Enforcement of Child's Rights in Nigeria.* African Journal of Legal Studies, 2020<<https://www.nigerianjournalonline.com/index.php/LASJURE/article/view/4932/6353> > accessed September 4th 2025.

²² **menweke, M. N., and Chidimma Dorathy Umego.** *An Appraisal of the Laws Safeguarding the Rights of Children in Nigeria.* International Journal of Law and Policy Research, 2019 <<https://journals.ezenwaohaetorc.org/index.php/Naujopl/article/view/2972> > accessed September 4th 2025.

the church in combating the menace of child abuse in Nigeria. They highlighted and elucidated on various forms of child abuse in Nigeria ranging from child trafficking, child labour, child marriage, vagrancy, child abandonment, sexual abuse to female genital mutilation.²³ Recognizing that the government alone uncorroborated by other non-governmental associations and organizations, cannot and has not been able to significantly combat the menace of child abuse, the writers called on other churches to also participate in the socio-cultural and civic duty of curbing this menace, having portrayed the exemplary contributions of some Christian churches and missionaries. The work of these writers, it is posited, helps to highlight and anticipate the relevance of the activism-approach to addressing child rights in Nigeria which both state and non-state actors are being called upon to adopt as would be adumbrated in this research.²⁴ Akin O. Ogundayisi, anticipated and set the pace for the concept of legislative, executive and judicial activism, when he said; Thus, government, non-governmental organizations, parents and individual should be ready to support the full realization of the provision of the Act in its entirety. Government need to provide adequate resources and opportunity. Non-Governmental Organizations should show support with their own campaign, while parents and individual should co-operate with the government, by fulfilling their own responsibilities as provided.²⁵ In another article²⁶, their juristic torchlight brought enlightenment on the fact that, the legal

²³ Dr. Victor I. Ede and Dr. Dominic Z. Kalu, "Child Abuse in Nigeria: Responses of Christian Churches and the Way Out", International Journal for Innovative Research in Multidisciplinary Field (4), (4), (Apr – 2018), available at; <https://www.researchgate.net/publication/324971577_Child_Abuse_in_Nigeria_Responses_of_Christian_Churches_and_the_Way_Out?>accessed September 4th 2025.

²⁴ *ibid*

²⁵ Akinwumi OS, Legal impediments on the practical implementation of the Child Right Act 2003. Int. J. Legal Information. 37 (3): 10.(2009)<https://www.academia.edu/6898104/LEGAL_IMPEDIMENTS_ON_THE_PRACTICAL_IMPLEMENTATION_OF_THE_CHILD_RIGHTS_ACT_IN_NIGERIA> accessed September 4th 2025.

²⁶ Lilian Bomu & Nnamdi Kingsley Akani, "Protection of the Rights of Children in Nigeria: A Comparative Analysis", The Journal of Property Law and Contemporary Issues, vol. 10, No. 1 (Feb. 2019), 58-71

framework set in place in Nigeria, as the legal infrastructural basis for the enforcement of the rights of the Nigerian child, is grossly inadequate. Further, they highlighted the role of the judiciary in the enforcement of the rights of the child, including cases where the court had contributed to the lack of protection of these rights by not meting out to perpetrators, the just sentence that they deserved even in cases like the capital offence of rape. This is a point to be noted, as this buttresses the fact that the judiciary has not been adequately proactive in the safeguarding of the rights of the child.²⁷ However, the issue of migrating from the mere promulgation of the CRA to the institutionalization of the proactive teaching of the law to all persons and authorities concerned in the protection of the rights of the child, including the children, was not addressed. Samson O. Onuche on the other hand, is holistic in considering the subject of child rights in Nigeria. Indeed, he gave a remarkable analysis of the position of the law as far as the rights of the child is concerned in Nigeria; the realities which face some Nigerian children contemporarily, and the conditions of abuse, violations and gross dehumanization that children are subjected to. He also unraveled the myths responsible for preserving the legends of onslaught on several Nigerian children which take the forms of Child Marriage, Children in Arm Conflict, Child Labour, and Female Genital Mutilation, etc.²⁸ He noted that the challenges bedeviling the full or substantial realization of the rights of the Nigerian child are the pluralistic legal system operational in the country; societal unrest, poverty and deprivation; cultural relativism and non-justiciability of socio-economic rights. It must be noted however, that the

<https://www.researchgate.net/publication/341611673_PROTECTION_OF_THE_RIGHTS_OF_CHILDREN_IN_NIGERIA_A_COMPARATIVE_ANALYSIS> September 4th 2025.

²⁷ ibid

²⁸ Samson O. Onuche "Rights of the Nigerian Child: The Law, Myths and Reality", African Journal of Law and Human Rights5 (1) 2021.

<https://www.researchgate.net/publication/351230002_RIGHTS_OF_THE_NIGERIAN_CHILD_THE_LAW_MYTHS_AND_REALITY> accessed September 4th 2025.

article did not consider or examine the role that the judiciary has or should play in the realization of the rights of the child in Nigeria. In a manner which cannot be overlooked, Abdulhameed K. Agboola,²⁹ in his article, “Constraints and Challenges of the Media in Child Rights Advocacy and Development in Nigeria”, made a remarkable eye-opening exposition on the relevance of the media in keeping the alive the conscience and will of the nation in area of Child rights advocacy. The writer also elucidated on emerging areas of child rights advocacy such as Climate Change and Children; Accelerate Integrated Early Childhood Development (ECD); Refugee and Migrant Children; Urbanization and Children; Crackdowns on Child Rights Activists; and Children and Freedom of Expression. Factors, which he said inhibits the media from active child right advocacy includes lack of coverage and of professionalism. This is in keeping with the presupposed notions of all-round activism in the area of child’s rights which this research so vigorously advocates for.³⁰ Emeka E. Okafor was concerned about the subject of child labour, which is a form of child abuse, in Nigeria, and its negative effects on sustainable development of the nation.³¹ He argued demonstrably that child labour in Nigeria is primarily caused by poverty, and has far reaching and truncating effects in the overall outcome of the child, destabilizing and disabling such child from becoming useful to him/her, and to the nation, in exchange for the immediate meager income, if any, that they would receive. The writer pointed out inter alia, that in the past decades, there has been an upsurge in ratio of child labourers, particularly in the urban

²⁹ Agboola, Abdulhameed K. 2020. “Constraints and Challenges of the Media in Child Rights Advocacy and Development in Nigeria.” In *Media and Its Role in Protecting the Rights of Children in Africa*, edited by O. Oyero, 80–98. IGI Global” < https://www.researchgate.net/publication/338312717_Constraints_and_Challenges_of_the_Media_in_Child_Rights_Advocacy_and_Development_in_Nigeria > accessed September 4th 2025.

³⁰ *ibid*

³¹ Emeka E. Okafor , “Child Labour Dynamics And Implications For Sustainable Development In Nigeria”, *Journal of Sustainable Development in Africa* (Volume 12, No.5, 2010), available at;< [https://jsd-africa.com/Jsda/V12No5_Fall2010_A/PDF/Child%20Labor%20Dynamics%20and%20Implications%20for%20Sustainable%20Development%20in%20Nigeria%20\(Okafor\).pdf](https://jsd-africa.com/Jsda/V12No5_Fall2010_A/PDF/Child%20Labor%20Dynamics%20and%20Implications%20for%20Sustainable%20Development%20in%20Nigeria%20(Okafor).pdf) > accessed September 4th 2025.

areas, making it a full blown industry.³² Linus O. Nwauzi and Soibi George-Ibikiri considered the militating factors to the implementation of child's rights in Nigeria and highlighted factors such as poor/defective governmental policies and programs; of which an example is made of the universal Basic Education (UBE) scheme, which is not effectively implemented; overdependence on organizations such as the United Nations Children's Education Fund (UNICEF), World Health Organization (WHO), which has resulted, according to the learned writers, to a downward slope of sectors like the educational and health sectors, as these donor organizations cannot render help consistently or at all times. Other factors highlighted are poverty, socio-cultural and religious impediments, ignorance, rural-urban drift, political violence and intertribal/religious conflicts.³³ Another writer was of the view that in States with legal framework for its protection are not being cared for as they should Due to the absence of effective enforcement mechanisms and widespread lack of Awareness particularly in the grass-roots, as most persons are either unaware of the Child rights laws or indifferent towards it.³⁴ Also the lackadaisical attitude of the ruling Class towards this very crucial matters is worthy of note. The article further recommended that what is needed is educating everyone including the masses, the illiterates, the educated, the leaders, the less privileged, the privileged of the rights of children, theirs inclusive, as well as the problems associated with the violations of some of these rights like Right against child marriage, some of these problems being premature death, emotional trauma, anemia, miscarriage etc.

³²ibid

³³ Linus O. Nwauzi and Soibi George-Ibikiri, "Child's Right Implementation; the Militating Factors in Nigeria", African Journal of Professional Research on Human Development (AJPRHD), Vol. 6, No. I, 2010, available at;<https://www.researchgate.net/publication/333450791_CHILD'S_RIGHT_IMPLEMENTATION_THE_MILITATING_FACTORS_IN_NIGERIA> September 4th 2025.

³⁴ **Agbede, Ooreoluwa.** "Rights of the Child: Nigeria's Legal and Practical Position." SSRN, 30 June 2020. <https://www.researchgate.net/publication/343225228_Rights_of_the_Child_Nigeria's_Legal_and_Practical_Position> accessed September 4th 2025.

Another writer was of the opinion that the Modern Almajiri system is a major impediment to the implementation of the Child Rights Act for the states in northern Nigeria that have not domesticated the Act.³⁵ He was of the view that the modern Almajiri system, under any guise should be abolished because the historical reason for their existence is no longer relevant. The children (whether migrant or indigenes of the state etc) should go back home, and be under direct parental care. Those that have no parents, the Child Rights Act, under section provides for voluntary home or registered children's home to provide refuge for children. Section 42 has also provided for an Emergency protection order to be given by the court for a child that is at risk of harm. However, the CRA has been domesticated in almost all states in Nigeria and the major impediment isn't domestication as the writer pointed out but that of political will to implement the provisions of the CRA.

In the Examination of Protection of Children against Child Labour in Nigeria, Ejike Francis Okaphor & Chisom Grace Nwoye explored the root causes of child labour, including poverty, lack of access to education, cultural practices, and weak legal enforcement. The effectiveness of government initiatives, non-governmental organization (NGO) efforts, and international interventions aimed at combating child labour. Findings indicated that while progress has been made, significant obstacles remain. They recommended a review of existing laws, better enforcement mechanisms, and stronger socio-economic support for families. They also advocates for the full implementation of the Child Rights Act across all states in Nigeria to ensure the rights and safety of children, and to reduce their involvement in child labour.³⁶ In the Legal

³⁵ **Abdulkadir, Maryam Idris.** "The Challenges of the Implementation of the Child Rights Act in Northern Nigeria: A Closer Look at the Almajiri System." *Law Seminar Series*, < https://www.academia.edu/53357647/The_Challenges_of_Implementation_of_The_Childs_Right_Act_in_Northern_Nigeria_Acloser_look_at_the_Almajiri_System > accessed September 4th 2025.

³⁶ An Examination of Protection of Children against Child Labour in Nigeria Ejike Francis Okaphor & Chisom Grace Nwoye ISSN: 2736-0342 NAU.JCPL Vol. 11 (4) 2024. <

Implications of Child Protection and Safeguarding Policies in A Nigerian Perspective, the writers examined the legal framework for child protection in Nigeria but also the legal implications of child safeguarding policies in schools. The Writer argues that in order for schools to create a secure and safe environment for learning, firstly, the establishment of child safeguarding policies and procedure are critical to achieving this. Secondly, schools need to abandon the old concept of punishment-based discipline that relies on fear and embrace a more modern correction-based approach to discipline and establish structures to leverage discipline to achieve a safe and secure environment for all. They concluded that safeguarding policies should be viewed as a school's translation of child protection legislation for action and as such, its implementation manual. In drawing lessons from the UK, the study recommended that government needs to drive child protection issues through the education of stakeholders and the establishment of an enforcement mechanism or regulatory body. This body should coordinate child safeguarding issues by providing a platform for stakeholder collaboration in order to achieve more cohesion within the sector.³⁷

IP Enemo 'Child Rights Act 2003 and the Protection of Children against Trafficking' (2023) examines this global menace of child trafficking, particularly in Nigeria, and the protection accorded such children under the Nigerian Child Rights Act 2003, which is a Nigerian legislation enacted to tackle issues dealing specifically and comprehensively with child rights, such as child

https://scholar.google.com/scholar?hl=en&as_sdt=0%2C5&q=++An+Examination+of+Protection+of+Children+against+Child+Labour+in+Nigeria+Ejike+Francis+Okaphor+%26+Chisom+Grace+Nwoye+ISSN%3A+2736-0342+++NAU.JCPL+Vol.+11+%284%29+2024.&btnG= > accessed 6th September 2025.

³⁷ Brisibe, Beimonyo Vivien; Ayibamientei, Tonbie Yabefa; Anurume, Peace Nkiruka, "The Legal Implications of Child Protection and Safeguarding Policies: A Nigeria Perspective (2024) international Journal of Social Science and Human Research, 07(09), 6915-6927.

<https://www.researchgate.net/publication/384110120_The_Legal_Implications_of_Child_Protection_and_Safeguarding_Policies_A_Nigerian_Perspective > accessed September 4th 2025.

trafficking. The doctrinal method is adopted, and information is obtained from primary and secondary sources. The article found that despite the efforts made in Nigeria, which include the elaborate provisions in the CRA to protect the child and to tackle this teething problem, child trafficking, whether offline or online, is still very rife and constitutes a severe problem in Nigeria, just as in other parts of the globe. It also found that the CRA, which has various implementation challenges, has done little or nothing to bring about positive change in that direction. However, the article concludes that efforts must first be made to ensure that all the States in Nigeria adopt the CRA, while those that have adopted the Act should bring traffickers to book based on the provisions of the Act.³⁸ Osifunke Ekundayoper shows the extent of the country's conformity to its obligations under the CRC and the ACRWC. It critically analyses the CRA whether it conforms to the standards contained in these child rights treaties by examining the core provisions in the CRA. It is revealed that some aspects in the Act need to be reviewed to bring it into full compliance with international child rights law standards. On balance, the CRA guarantees and protects in numerous ways the rights of children in Nigeria.³⁹ The Nigerian legal system has well drafted laws to encourage a stable economic growth and also allow citizens live life to the fullest. Our children are still part of the society and should not be denied any one of these rights. Our leaders and law makers should remember that the reason human rights have been ratified into our Constitution and collaborative laws is to uphold the tenets of democracy which are enshrined in section 15 of the 1999 Constitution. A lot of our laws are not

³⁸ IP Enemo 'Child Rights Act 2003 and the Protection of Children against Trafficking' (2023) 18 The Nigeria Juridical Review 102-115 <https://www.researchgate.net/publication/388632399_Child_Rights_Act_2023_and_the_Protection_of_Children_against_Trafficking> accessed September 4th 2025.

³⁹ Ekundayo O. (2014). The Nigerian Child Rights Act 2003: Its Strengths and Weaknesses, *The International Journal of Humanities & Social Studies*, 2(11). <<https://internationaljournalcorner.com/index.php/theijhss/article/view/140745>> accessed September 4th 2025.

implemented which makes its enjoyment a mirage. For us to have children who will be leaders, not problems of tomorrow, we should ensure that their economic rights as listed in Chapter Two of the Constitution are not denied. Once they are not denied, enjoyment of the rights of Chapter Four will not be a struggle. Having explored the legal framework of the Child's Rights and their peculiarities, the following are recommended: Section 6(6c) of the 1999 Constitution should be scrapped, and the provisions of Chapter II made justiciable, because our economic rights serve as rostrum for the enjoyment of our legal rights. Children, who have been abused, should be rehabilitated and integrated into the society through the help of the executive.⁴⁰

Flowing from the various analysis, Evidence on enforcement challenges reveals persistent implementation gaps across Nigeria, particularly pronounced in both the northern and southern states. These gaps are largely shaped by entrenched socio-cultural practices such as child labour and child marriage, which continue to undermine the effectiveness of existing legal and policy frameworks designed to protect children. While several studies have acknowledged these challenges, there remains a significant gap in comparative, state by state analyses that examine how these issues manifest differently across Nigeria's six geopolitical zones.

My Research addresses this critical void by undertaking a cross-regional case comparison, highlighting not only the variations in enforcement and compliance across states but also the socio-cultural, religious, and economic factors that drive these differences. By providing a nuanced, evidence-based account of how child rights protections are unevenly applied, this study will contribute to a deeper understanding of the systemic barriers to enforcement and propose context-specific strategies for bridging these gaps across Nigeria.

⁴⁰ **Obidimma, Angela E., and Chinemerem Chimezie Nwokoma.** *Legal Regime for the Enforcement of Child's Rights in Nigeria.* African Journal of Legal Studies, 2020<
<https://www.nigerianjournalonline.com/index.php/LASJURE/article/view/4932> > accessed September 4th 2025.

1.10 EXECUTIVE SUMMARY

This research examines the child Rights Act (CRA) in Nigeria, focusing on enforcement gaps and cross-regional disparities.

CHAPTER ONE introduces the study, outlining the problem of weak enforcement despite the CRA's existence, the research objectives, questions, and significance, as well as the doctrinal methodology.

CHAPTER TWO provides an overview of the CRA, tracing its historical development, objectives, and provisions, while situating it within various domestic and international statutes such as the UNCRC and ACRWC etc. it also analyzes state-level domestication and the broader legal framework for child protection.

CHAPTER THREE identifies major barriers hindering CRA enforcement, including cultural and religious practices, poverty, weak institutions, low public awareness, etc.

CHAPTER FOUR undertakes a comparative state by state analysis across Nigeria's six geopolitical zones. It highlights variations in implementation, examining child labour and child marriage as case studies.

CHAPTER FIVE presents the findings, showing persistent implementation gaps nationwide. It recommends uniform domestication of the CRA, strengthened institutions, adequate funding, policy reforms, and the active involvement of civil society, media, and community leaders. The conclusion affirms that while the CRA provides a strong legal framework, its effectiveness ultimately depends on political will, societal change, and stakeholder collaboration.

CHAPTER TWO

2.1 HISTORICAL DEVELOPMENT OF THE CHILD RIGHT ACT

The Child Right Act (CRA) was enacted in 2003 by the National Assembly to give domestic effect to international conventions on the protection of children's rights, particularly the United Nations Convention on the Rights of the Child (UNCRC, 1989) and the African Charter on the Rights and Welfare of the Child (ACRWC, 1990).⁴¹

The first attempt to fulfill Nigeria's obligation under the CRC and ACRWC to domesticate the treaty was initiated by the National Commission for Women, (now Ministry of Women's Affairs) in 1992. Working in collaboration with the UNICEF and other experts, a draft children's law was produced principally aimed at enacting the principles enshrined in the CRC and the ACRWC, which conformed to the CRC and the ACRWC.⁴² Prior to the CRA, children's rights in Nigeria were scattered across various legislations such as the Children and Young Persons Act (CYPA) 1943, the Criminal Code, and Penal Code. Also, Discrimination against Women; International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; Convention on the Rights of Persons with Disabilities.⁴³ The CYPA was originally intended to apply to Lagos but was later adopted as

⁴¹ United Nations Convention on the Rights of the Child, 1989; African Charter on the Rights and Welfare of the Child, 11 July 1990 <https://en.m.wikipedia.org/wiki/Convention_on_the_Rights_of_the_Child>; https://en.wikipedia.org/wiki/African_Charter_on_the_Rights_and_Welfare_of_the_Child> accessed 4th September 2025.

⁴² Owasanoye., 'The Regulation of Child Custody and Access in Nigeria,' Family Law Quarterly, 39 (2), 405.< https://papers.ssrn.com/sol3/papers.cfm?abstract_id=868662> Accessed 4th September 2025.

⁴³ Etannibi Alemika and I.C. Chukwuma, Juvenile Justice Administration in Nigeria: Philosophy and Practice, (CLEEN Foundation 2001). < https://www.researchgate.net/publication/268372436_Juvenile_Justice_Administration_in_Nigeria_Philosophy_and_Practice> accessed 4th September 2025.

a regional law and subsequently as state laws. It was extended to the Eastern and Western Regions of Nigeria in 1946 and the Northern Region of Nigeria in 1958 through Order-in-Council of 1945 and 1958 respectively.⁴⁴ As the major piece of legislation that was dealing with matters affecting children and young persons in Nigeria, the CYPA although promulgated to provide for the welfare and treatment of child offenders did not mention ‘rights’ in general or ‘child rights’ in particular in any of its provisions.⁴⁵ Despite the ‘rights’ or ‘child rights’ omission of the text of the CYPA, Abubakar aptly alludes to the human rights ingredients of the CYPA when he states that it has a very strong focus on right based penal sanctions and at the same time articulated appropriate and mitigated responses to child offenses.⁴⁶

On the introduction of a federal system of government with a state structure in Nigeria, most states of the federation enacted their own Children and Young Persons Law which were almost an identical reprinting of the 1943 CYPA.⁴⁷ With the passage of time and more specifically, with the advancement in the better and clearer articulation of child rights in international and regional human rights instruments and laws, the inherent weaknesses of the CYPA began to emerge more visibly. Nigeria signed the CRC in January 1990 and ratified it in April 1991.⁴⁸ However, under Nigerian laws, treaties are mainly implemented by express legislative assent. Section Twelve of

⁴⁴ I.E Okagbue, ‘Children in Conflict with the Law: The Nigerian Experience’ (Nigerian Institute Of Advanced Legal Studies, Lagos, 2000) < https://barhumanrights.org.uk/wp-content/uploads/2013/12/The-Child-Rights-Manual_Nigeria-29.10.13.pdf > accessed 4th September 2025.

⁴⁵ . Musa Usman Abubakar, ‘Criminal Law and the Rights of the Child in Northern Nigeria’ (2010) Legal Studies < <https://share.google/lmtPGoiLetwvukAG8> > accessed September 4th 2025.

⁴⁶ Laurent Fourchard, ‘Lagos and the Invention of Juvenile Delinquency in Nigeria 1920 – 60’ https://www.researchgate.net/publication/41137722_Their_Days_are_Spent_in_Gambling_and_Loafing_Pimping_for_Prostitutes_and_Picking_Pockets_Male_Juvenile_Delinquents_on_Lagos_Island_1920s-1960s > accessed September 4th 2025.

⁴⁷ Status of Ratification of the Convention on the Rights of the Child, available at < <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child> > accessed 4th september 2025

⁴⁸ AKIN OYEBODE, INTERNATIONAL LAW AND POLITICS: AN AFRICAN PERSPECTIVE 175 (Bolabay, at 2003) < <https://www.scribd.com/document/363032826/humanrites-2nd> > accessed 4th September 2025.

the 1999 Constitution of the Federal Republic of Nigeria states that "No treaty between the Federation and any other country shall have the force of law except to the extent to which such treaty has enacted into law by the National Assembly".⁴⁹

According to Akin Oyebo, it is the "enabling statute enacted pursuant to implementation of a treaty rather than the treaty per se which is considered by the courts as source of law."⁵⁰ This implies that the CRC can only be enforced in Nigeria after its reenactment as part of the laws of the Federal Republic of Nigeria. This implies that the CRC can only be enforced in Nigeria after its reenactment as part of the laws of the Federal Republic of Nigeria. A combination of factors impedes its reenactment by the country and its adoption in some states. First, Nigeria's federal structure impedes its passage. The National Assembly can only pass laws regarding matters on the Exclusive Legislative List."⁵¹

The Constitution further provides that the National Assembly may make laws for the federation or any part of it, even on matters not included in the Exclusive Legislative List, for the purpose of Implementing a treaty.⁵²

⁴⁹ See CONSTITUTION<https://www.worldstatesmen.org/nigeria_const1960.pdf>accessed 4th September 2025; CONSTITUTION, § 12 (1979)<https://constitutionnet.org/sites/default/files/nig_const_79.pdf> accessed 4th September 2025.

⁵⁰ **ogunniran, lyabode.** *The Child Rights Act Versus Sharia Law in Nigeria: Issues, Challenges & A Way Forward.* Children Legal Rights Journal, 2010.
<https://www.academia.edu/48847930/The_Child_Rights_Act_versus_Sharia_Law_in_Nigeria_Issues_Challenges_and_A_Way_Forward>accessed 4th September 2025.

⁵¹ " CONSTITUTION, § 4(2) (1999) (Fed. Rep. Nigeria) [hereinafter 1999 CONSTITUTION]; Laws of the Federation of Nigeria, (2004) Cap. C23.

⁵² 1999 CONSTITUTION, § 12(2).

However, when a bill pursuant to this subsection shall not be presented to the President for assent, and shall not be enacted unless it is ratified by a majority of all the Houses of assembly in the federation.⁵³

It is noteworthy that matters relating to children are not on the Exclusive List.⁵⁴ Hence, the National Assembly may make laws to implement the Convention, but the laws are subject to ratification by a majority of the Houses of Assembly. Ordinarily, this should not be difficult because the Convention provisions provide for the protection.'⁵⁵

Nigeria has various legal systems: English common law, Islamic Sharia law, and the customary law.⁵⁶ The first Bill on Children's

Rights was introduced in 1993, but could not be passed into law by the military government due to opposition from religious groups and traditionalists.⁵⁷

Consequently, a Special Committee was created to "harmonize the Children's Bill with Nigerian religious and customary beliefs."⁵⁸

In 2002, the revised Children's Bill, which encapsulated Nigerian children's rights and responsibilities, was rejected for the same reasons.⁵⁹ Due to passionate appeals by international

⁵³ 13. 1999 CONSTITUTION, § 12(3) (1999).

⁵⁴ Ibid

⁵⁵ CRC art. 2-16

see <https://en.m.wikipedia.org/wiki/Convention_on_the_Rights_of_the_Child> accessed 4th September 2025.

⁵⁶ A.O. OBILADE, THE NIGERIAN LEGAL SYSTEM 4-5 (Sweet & Maxwell,1979).

⁵⁷ Report on the Implementation of the Convention on the Rights of the Child by Nigeria prepared for the Committee on the Rights of the Child (Jan. 2005),available at<https://www.omct.org/files/2005/09/3074/report_children_nigeria_eng.pdf>/<www.cleen.org/nigeria_ngo_report> accessed 4th September 2025.

⁵⁸ Ibid

⁵⁹ Ibid

and national NGOs, the National Assembly, acting under its power to legislate for the Federal Capital Territory (FCT),⁶⁰ enacted the Child Rights Act (CRA) into law for only the FCT in September 2003.⁶¹ The various states could then adopt the CRA as part of their laws. The CRA was therefore introduced to consolidate these provisions and present a comprehensive legal framework specially tailored to children's welfare and protection.

2.2 LEGAL FRAMEWORK

2.2.1 CONSTITUTION

The Constitution of the Federal Republic of Nigeria 1999(as amended)⁶² is the ultimate law which reigns supreme over other laws and its provision is binding on all persons and authorities in Nigeria.⁶³ The general framework within which human rights are protected in Nigeria is enshrined in the 1999 Constitution of the Federal Republic of Nigeria. Chapter IV contains an elaborate Bill of Rights. The rights guaranteed include the right to life (Sec. 33); the right to personal liberty (Sec. 35); the right to fair hearing (Sec. 36) and the right to freedom of

⁶⁰ Federal Capital Territory (FCT) is Abuja, which is the capital of Nigeria. Basically, the Constitution vests the power of re-enacting treaties into laws in the National Assembly (NA). In this instance, the NA was aware it would not get the ratification of a majority of all Houses of Assembly in the Federation as stipulated by the Constitution because of opposition by the northern states. The only way was to come under Sec. 299(a) of the same Constitution, whereby it can make laws for FCT. The NA adopted the CRA as a federal law for FCT. States are now adopting the CRA as state laws.

⁶¹ **ogunniran, Iyabode.** *The Child Rights Act Versus Sharia Law in Nigeria: Issues, Challenges & A Way Forward.* Children Legal Rights Journal, 2010.

<https://www.academia.edu/48847930/The_Child_Rights_Act_versus_Sharia_Law_in_Nigeria_Issues_Challenges_and_A_Way_Forward> accessed 4th September 2025.

⁶² Constitution of the Federal Republic 1999(as amended) (hereinafter referred to as CFRN 1999).

⁶³ CFRN 1999, s 1(1); National Assembly v President (2913) 9 NWLR 104; A.G Bendel State v A.G Federation & 22ors (1982) 3 NCLR 1; Doherty v Balewa (1962) All NLR 631.

movement (Sec. 41). Section 42 prohibits unjustifiable discrimination on the basis of “ethnic group, place of origin, sex, religion or political opinion”. The 1999 Nigerian Constitution provides in its Chapter Two some fundamental objectives and directive principles of the Nigerian State which are geared towards the promotion and protection of children’s interests in Nigeria. The Constitution requires the government to provide free compulsory and universal primary education, free secondary education, free university education, and free adult literacy programs when practicable.⁶⁴ Section 13 imposes a Constitutional obligation on all arms and tiers of government to observe the fundamental objectives relating to socio-political, economic, educational and cultural matters. Section 14 provides that the security and welfare of the people shall be the primary purpose of government. Section 16 provides for the control of the economy to secure maximum welfare, freedom and happiness of every citizen on the basis of social justice, equality of status and opportunity, harnessing and distribution of material resources of the community to serve the common good, provision of suitable and adequate shelter, suitable and adequate food for all Nigerians by the State. Under section 17, the State social order is to be founded on freedom, equality and justice and the State shall direct its policy towards ensuring that: (a) all citizens without discrimination on any ground whatsoever have opportunity for securing adequate means of employment; (b) conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life; (c) the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused; (d) there are adequate medical health facilities for all persons; (e) there is equal pay for all work without discrimination on account of sex, or any other ground whatsoever; (f) Children and young persons and the aged are protected against any exploitation whatsoever, and against moral and material neglect. However, these provisions are only directive principles of State Policy and

⁶⁴ 24 See Section 18 of the 1999 Constitution.

no action can be brought against the government for enforcement of the provisions as they are not justiciable.

2.2.2 CHILD RIGHT ACT 2003

The Child Rights Act (CRA) 2003,⁶⁵ is the primary and comprehensive legislation on issues affecting children in Nigeria and is a derivative of the United Nation Convention on the Rights of Children of 1989 and the African Charter on the Rights and Welfare of the Child 1990.⁶⁶

This Act seeks to set out the rights and responsibilities of the child in Nigeria and provides for a system of child Justice Administration and the care and supervision of children, amongst other things. Within the context of such a mandate, therefore, the Act has been divided into twenty-four parts and eleven schedules. The various parts address broadly rights and responsibilities, protection and welfare of children, duties and responsibilities of government, institutions for children, as well as other miscellaneous matters. CRA provides children with survival rights, protection rights, developmental right and participatory rights. The survival rights of the child include the right to life ⁶⁷ which is the most fundamental of all rights and it is a prerequisite to the actualization of other rights.⁶⁸ With regards to development rights of the child, the CRA guarantees various rights relating to developmental rights of children as they grow from childhood to adulthood. These rights include freedom of thoughts, conscience and religion, right to rest and leisure, free and compulsory basic education and places a responsibility on the

⁶⁵ Child Right's Act, 2003. Cap 26

⁶⁶ **Ladan, Muhammed Tawfiq.** *An Overview of the Child Rights Act, 2003.* (Paper presented at the All-Nigeria Judges' Conference of the Superior Courts, National Judicial Institute, 15–19 November 2021.)

<Available at

SSRN: <https://ssrn.com/abstract=4015384> or <http://dx.doi.org/10.2139/ssrn.4015384>> accessed 4th September 2025.

⁶⁷ CRA 2003, s.4; The Constitution of the Federal Republic of Nigeria 1999 (as amended) s.33

⁶⁸ CFRN 1999, s.33. Without the rights to life, all other rights which include protective, developmental and participatory rights cannot be enjoyed.

government and parents to ensure that children are educated.⁶⁹ The Act provides the right of children to participate in decisions that affect their lives either directly or indirectly, this provision is affirmed by both the Constitution⁷⁰ and the CRA.⁷¹ The CRA also imposes duties and obligations on children to work towards the progress of their families and communities.

In terms of contents, the Nigerian Child Rights Act borrowed a leaf from the UN CRC and the OAU Charter in respect of the guiding principles for the promotion and protection of the rights of children. Under sections 1-2 (Part I), the Act provides that the best interest of the child shall be of primary or paramount consideration in all actions to be undertaken whether by an individual, public or private body, institutions or service, court of law or administrative or legislative authority.⁷²

Part II (Sections 3-20) of the Act provides for the rights and responsibilities of a child in Nigeria. Accordingly, it entrenches the following fundamental rights of the child, namely, the rights to survival and development, to a name, to freedom of association and peaceful assembly, to freedom of thought, conscience and religion, to private and family life, to freedom of movement, to freedom from discrimination, to dignity of the child, to leisure, recreation and cultural activities, to health and health care services, to parental care, protection and maintenance, to free, compulsory and universal primary education, as well as encouragement of the child to attend and complete secondary education.⁷³

⁶⁹ CRA 2003 Sec.15

⁷⁰ CFRN 1999, s.39.

⁷¹ CRA 2003, s.3.

⁷² CRA 2003 s. 1 provides for the best interest of the child and it shall be the primary consideration in any action taken against a child.

⁷³ This is consistent with Chapter Two of the 1999 Nigerian Constitution.

Part III (sections 21-40) of the CRA provides for the protection of the rights of the child through the prohibition of: child marriage, child betrothal, infliction of tattoos and skin marks, exposure to use, production, trafficking, etc. of drugs and psychotropic substances, use of children in any criminal activity, abduction and unlawful removal and transfer of a child from lawful custody, forced, exploitative or hazardous child labour, including outlawry of employment of children as domestic helps outside their own home or family environment, buying, selling, hiring or otherwise dealing in children for the purpose of hawking, begging for alms, prostitution, unlawful sexual intercourse, other forms of sexual abuse and exploitation prejudicial to the welfare of the child.

Part IV (sections 41-49) Act provides for additional protection through civil and welfare proceedings. Thus, it makes provisions for securing assessment orders in relation to the ascertainment of state of health or development of, or the way in which the child has been treated, with a view to enabling a determination as to whether the child is suffering or is likely to suffer significant harm, and to this end, the appropriate authority may secure an order from the family court for emergency protection of children where and when necessary. The Act additionally imposes duties on a State government to safeguard or promote the welfare of any child in danger or suspected to be in danger of suffering significant harm within its jurisdiction.

Part VI (Sections 53-62) provides for the making of care and supervision orders which are designed to place children in need of care and protection in the care of a designated person, appropriate authority or state government for the purpose of safeguarding or promoting the welfare of the child. The Supervision Orders may include Education Supervision Orders.

The CRA provides for the establishment of the Family Court, Child Minding or Day Care Centres and Allied Homes under Parts XIII to XIX (Sections 149-203). Under part XIII of the Act, the Family Court, which will operate at the High Court and Magisterial levels, has been vested with the jurisdiction to hear all cases in which the existence of a legal right, power, duty, liability, privilege, interest, obligation or claim in respect of a child is in issue, and any criminal proceeding relating to any offence committed by a child.

Part XV (Sections 171-185) provides for State Government support for children and families, including the provision of a range of services appropriate of the welfare and upbringing needs of children including further accommodation and maintenance for children looked after by it, as well as provision of advice and assistance for certain categories of children.

Part XX (Sections 204-238) of the Act provides for Child Justice Administration, which will now replace the Juvenile Justice Administration, which has been in existence for several decades in Nigeria. The provisions in this part prohibit the subjection of any child to the criminal justice process, and guarantees the due process to any child subjected to the Child Justice system under the Act at all stages of investigation, adjudication, and disposition of the child. In this regard, the Act has sought to apply (the principles contained in the UN Standard Minimum Rules for the Administration of Juvenile Justice (otherwise known as the Beijing Rules) in Child Justice Administration in Nigeria.⁷⁴

Finally, Part XXIV (Sections 272-279) of the Act variously provides for service of documents, supremacy of the provisions of the Act over those of all other laws relating to children in cases of

⁷⁴United Nations Standard Minimum Rules for Non-Custodial Measures 1990
<<https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-non-custodial-measures>>accessed 4th September 2025.

inconsistency, interpretation and citation of the Act. The Act has eleven Schedules which contain rules for regulating the functioning and management of the various mechanisms and institutions created under the Act. The Child Rights Act provides for a ten-year sentence for the trafficking of children for the purposes of hawking, begging, prostitution, pornography, labour, under slave like conditions and activities related to illicit drugs. Further, the Act provides that necessary protection and care shall be given to the child for his/her well-being, taking into account the rights and duties of the child's parents, legal guardians and other bodies legally responsible for the child.

2.2.3 CHILDREN AND YOUNG PEOPLE LAW

Children and Young Persons Act (CYPA) defines a child as a person below the age of 14 years while a young person is one above 14 years but below 17 years.⁷⁵ The CYPA does not place much importance on the Principle of the Best Interest of the child; rather its emphasis is on the punitive measure as against the welfare of the child. For instance Section 27 of the CYPA direct the court to order a child to be kept with a Probation Officer, this contradicts the provision of the CRA which lay great premium on the care, protection and development of the child in the child justice administration. In the CYPA, issues relating to children in conflict with the law can be addressed in any court and the law provides for approved schools for children in conflict with law as against the CRA which establish Children Residential Centres /Child Correctional homes, an environment more appropriate for the rehabilitation of the child. In addition, the CYPA ensures speedy dispensation of justice and grant of bail except in cases of homicide or grievous crimes.⁷⁶ The CYPA provides for punishment or imprisonment for young persons above 14 years

⁷⁵Children and Young People Act, 1946, section 2.

⁷⁶ United Nations Standard Minimum Rules for Non-Custodial Measures 1990. Rule 1.5

and 17 years in remand homes or borstal institution as against the CRA which advocates for non-custodial measures in line with the Tokyo Rules. It is therefore submitted that the CYPA had been able to address issues involving children and young persons in conflict with the law but the approach is largely punitive compared with the CRA. The CRA provides a comprehensive framework for children in Nigeria, including detailed provisions on the child justice system. While the Act has been adopted by most states, the true test lies in ensuring consistent and practical application of its provisions across the federation.

2.2.4 VIOLENCE AGAINST PERSONS PROHIBITION ACT

This Act was enacted to prevent violence against persons especially women and children. The Act defines rape⁷⁷ and anyone convicted of rape against persons or children is liable to sentence of minimum of 12 years and maximum of 20 years for gang-rape⁷⁸ and compensation to victims of rape issued by the court.⁷⁹ A register of convicted sex offenders are kept and accessible to the public.⁸⁰ Infliction of physical injury on a child by weapon, substance or object is an offence punishable on conviction of 5 years imprisonment or and a fine of 100,000 Naira.⁸¹ The Act prohibits female circumcision and genital mutilation with a penalty of less than 4 years and or fine of 200,000 Naira.⁸² Other harmful traditional practices attracts a sentence of less than 4 years and or a fine of 500,000 Naira and incest attracts a penalty of 10 years imprisonment without an option of fine.⁸³

⁷⁷ Violence Against Persons Prohibition Act 2015, s. 1(1)

⁷⁸ Ibid, sec. 1(2)

⁷⁹ Ibid, sec. 1(3)

⁸⁰ Ibid, sec. 1(4)

⁸¹ Ibid s. 2

⁸² Ibid s. 6

⁸³ Violence Against Persons Prohibition Act 2015

2.2.5 TRAFFICKING IN PERSON (PROHIBITION)LAW ENFORCEMENT AND ADMINISTRATION ACT

This Act was enacted in 2003 empowers the National Agency for the Prohibition of Trafficking in Person and Other Related Matters(NAPTIP) to investigate and prosecute offenders of child trafficking in Nigeria. The agency is also involved in counseling and rehabilitation of victims(trafficked persons).The Act prescribes penalties for any breach of its provisions. The Act state that persons aiding or abetting, facilitating or promoting in anyway the trafficking of any person(women or children) commits an offence and liable on conviction to a fine of N200,000 and forfeiture of passport.⁸⁴ Where a corporate body is convicted for an offence of trafficking or aiding in trafficking, shall be liable to a fine of 2,000,000 (Two million) naira only, forfeiture of assets and closure of the body corporate.⁸⁵ Also, any commercial carrier who carries any person in violation of the Act commits an offence and is liable to 2 years imprisonment or a fine of Two million naira.⁸⁶ NAPTIP also monitors child trafficking units present in Nigerian Police Force, Nigerian Immigration Services and the Nigerian Customs Services. NAPTIP has been in the fore front in the fight against child trafficking in Nigeria, a lot of children have been rescued from their abductors and re united with their families.

2.2.6 LABOUR ACT

The Nigeria Labour Act ⁸⁷ regulates the appointment, contract and protection of persons including children in employment. The Act has several protective provisions for children as it states that no young child should be employed in job that is unsafe for his/her health or immoral

⁸⁴ Trafficking in Person (Prohibition) Law Enforcement and Administration Act 2003, s 30; 31.

⁸⁵ Ibid, s. 28

⁸⁶ Ibid, s. 29

⁸⁷ Nigerian Labour Act Cap L 1 Laws of the Federation 2004.

in nature⁸⁸ or a job where he will be unable to return home to his parents/guardian on a daily basis.⁸⁹ The exception to this provision is an approval from an authorized labour officer or as regards the contract of employment.⁹⁰ Furthermore, a child below the age of sixteen (16) cannot be employed in underground work, operate a machine, in industry or work on public holiday,⁹¹ consent of parents or guardian,⁹² or employed without express consent of parents or guardian.⁹³ However, children in technical schools or similar institutions can work in industries as part of the educational training but subject to supervision by the Ministry of Education or other relevant institutions.⁹⁴ A child could be employed by family members but on light duty only in agricultural or domestic character subject to approval of the minister.⁹⁵

2.2.7 CRIMINAL CODE

The Criminal Code Act is applicable only to the southern part of Nigeria and it has protective provisions for children. The age of criminal liability as stated in the Criminal Code is that a child below 7 years does not have the capacity to commit an offence⁹⁶ while a child above 7 years but below 12 years may be criminally liable for an offence if it can be proved that he/she understands the nature and consequences of the act.⁹⁷ Also children above 12 years and below 18 years are liable for their criminal act or omission and will not be prosecuted under the conventional justice system but under the Children and Young Persons Law (CYPL). The CYPL

⁸⁸ Ibid. s. 59(6).

⁸⁹ Ibid. s. 59(3).

⁹⁰ Nigeria Labour Acts. 59(4).

⁹¹ Ibid, s. 59(5).

⁹² Ibid, s. 59(8).

⁹³ Ibid, s. 59(2)

⁹⁴ Ibid s. 59(1) (a).

⁹⁵ Criminal Code Act CapC38 Laws of the Federation of Nigeria 2004, s.18.

⁹⁶ CCA s. 30.

⁹⁷ CYPA, s. 2.

sees a child as a person below 14 years and a young person above 14 years and below 17 years.⁹⁸ The age of criminal liability of a child or a young person poses a great challenge on how to determine the minimum age of a child or a young person? It is submitted that the issue of minimum age of criminal responsibility ought to have been included in the CRA for more effective protection of the rights of children in conflict with the law in Nigeria.⁹⁹ Under the Act, indecent treatment of boys under fourteen years is a felony which attracts seven (7) years imprisonment while the defilement of children below 13 years is classified as a misdemeanor which attracts a penalty of less than two (2) years imprisonment. These provisions of the Act is in conflict with of the provisions of the CRA which state that any form of indecent assault on a person be it male or female under eighteen years is tantamount to rape and the penalty on conviction is fourteen (14) or life imprisonment.

2.2.8 PENAL CODE

The Penal Code Act¹⁰⁰ is applicable to all the States in the Northern part of Nigeria. The Penal code Act has special provisions for the protection of children either as offenders or victims and it is similar to the Criminal Code Act. The PCA has protective measures for children starting from the point of conception because it is a criminal offence to procure an abortion to take the life of an unborn child,¹⁰¹ and the Act recognizes the right of an unborn child. Parents, guardian or persons in loco parentis to the child ought to provide necessities for basic survival needs growth

⁹⁸ G.O Odongo 'The Impact of International Law on Children's Rights on Juvenile Justice Reform in the African Context' in J.Sloth- Neilsen (ed) Children's Rights in Africa: A Legal Perspective 2008.< https://www.researchgate.net/publication/370654416_A_CRITICAL_ANALYSIS_OF_THE_LEGAL_AND_INSTITUTIONAL_FRAMEWORK_FOR_PROTECTING_THE_RIGHTS_OF_THE_CHILD_IN_NIGERIA> accessed 4th September 2025.

⁹⁹ Penal Code Act(hereinafter referred to as PCA) PCA, s 232.

¹⁰⁰ PCA, s 232.

¹⁰¹ B. Owasanoye and A. Adekunle, 'An overview of the Rights of the Child in Nigeria' in I A Ayua and I E Okagbue (eds), The Rights of the Child in Nigeria (Lagos: Nigerian Institute of Advanced Legal Studies 1996) 41 < <https://www.nials-nigeria.org/Editedbookcovers/child.pdf>> accessed September 4th 2025.

and nourishment of children under 14 years. However, the PCA has no provision penalizing the Almanjiris system where children roam the street as beggars for daily sustenance and nobody can be held responsible for lack of provision of basic survival needs for children in the northern part of Nigeria.¹⁰² Islamic teachings encourage the Almanjiris system which is viewed as child labour and it violates the provisions of the CRA and the Constitution which guarantee the right to life and dignity of human persons. The PCA also permits the chastisement of children below 18 years but without grievous bodily harm, a provision which is in conflict with the provision of the CRA 2003 against corporal punishment.¹⁰³

2.2.9 EVIDENCE ACT

The Nigerian Evidence Act 2011 protects children from acting as witnesses.¹⁰⁴ However, where a child is competent and capable of understanding questions put to him and giving rational answers to such questions, then he or she can testify on oath. This provision of the law has been judicially recognised in the case of *police v sunmonu*,¹⁰⁵ It is the duty of the judge to satisfy himself that the child is sufficiently intelligent to appreciate what he is saying and understand the duty of speaking the truth.¹⁰⁶

2.2.10 UNITED NATIONS CONVENTION ON THE RIGHT OF THE CHILD

The UNCRC is the legally binding United Nations treaty which outlines both the rights of children and the duties of State parties to respect, promote, fulfill and protect the provided rights. It is one of the more recent additions to the International code of human rights law. The

¹⁰² CRA 2003, ss. 4 and 11 ; CFRN 1999(as amended),S.34

¹⁰³ PCA s. 55.

¹⁰⁴ Evidence Act 2011, s. 175(1).

¹⁰⁵ (1957) WNLR. 23

¹⁰⁶ Lord Goddard in *R v Reynold*(1950) KB 606

International human right treaties are the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) which both provide for general rights while other instruments provide for the particular rights of particular categories of persons. The UNCRC is different in the sense that, although it deals with children, it nonetheless incorporates both the civil and political rights as well as the economic and socio-cultural Rights in one document without separating or unlike the other, placing one above the other or making a hierarchy of either. A child is any human being under the age of 18, unless the age of majority is attained earlier under the National or Municipal legislation.¹⁰⁷ Under the UNCRC, every child has the basic rights like: The Right to Life, Right to their own Name and Identity, Right to be raised by their Parents within a Family or Cultural grouping, and to have a relationship with both parents, even if separated e.t.c. Aside from these basic rights of the child, the UNCRC places obligations on all states parties to “move quickly to prohibit and eliminate all corporal punishment and all other cruel or degrading forms of punishment of children.”¹⁰⁸ The UNCRC does not only recognize the rights of the child but also spells out the duties of State parties in line with the fundamental rights e.g. it recognizes that every child has the inherent Right to Life,¹⁰⁹ with the duty on State parties to ensure to the maximum extent possible, the survival and development of the child.¹¹⁰ It also provides for the right of the child to be registered immediately after birth, which includes the right to a Name, the right to acquire a Nationality and as far as possible, the right to know and be cared for by his or her parents.¹¹¹It

¹⁰⁷ Article 1 of the UNCRC

¹⁰⁸ In the UNCRC, no reference is made to corporal punishment, the UN committee on the Rights of child in its 2006 general comment 8 however interpreted Article 19 of the UNCRC which Provides that “state parties must take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence” to include prohibition of corporal punishment, United Kingdom has however rejected this interpretation of Article 19 UNCRC.

¹⁰⁹ Article 6(1) of the United Nations convention on Right of child.

¹¹⁰ Article 6(2) of the UNCRC.

¹¹¹ Article 7(1) of the UNCRC.

places the duty on States Parties to ensure the implementation of these rights in accordance with their National Laws and their obligations under other relevant International Instruments applicable to this area, particularly where the child would otherwise be stateless.¹¹²

2.2.11 AFRICA CHARTER ON THE RIGHT AND WELFARE OF THE CHILD

The ACRWC¹¹³ also known as the Children's Charter is a comprehensive instrument that sets out the civil, political, economic, social and cultural rights of children as well as defining the universal principles and norms for the status of children.¹¹⁴ These issues conflict with children's rights and they include child marriage; parental rights and obligations towards their children and children born out of wedlock; prohibiting marriages or betrothals involving children; prohibiting the use of children as beggars; granting girls the right to return to school after pregnancy; promoting affirmative action for girl's education; expressly saying that the ACRWC is higher than any custom, tradition, cultural or religious practice that doesn't fit with the rights, duties and obligations in the Charter; outright prohibition on the recruitment of children into armed conflict; abolishment of apartheid and similar systems amongst others.¹¹⁵ Just like the CRC, the ACRWC is guided by certain principles such the non- discrimination; best interest of the child; survival and development of the child; child participation. Part 1 (Articles 5- 31) of the Charter contains rights and duties of a child. These include the right to life; right to a name and nationality; freedom of expression and association; freedom of thought, conscience and religion; right to private life; right to Education; right to leisure, recreation and cultural activities; right of

¹¹² Article 7(2) of the UNCRC.

¹¹³ African Charter on the Rights and Welfare of the Child 1990.

¹¹⁴ UNICEF 'African Charter on the Rights and Welfare of the Child'
<https://www.corecommitments.unicef.org/kp/the-african-charter-on-the-rights-and-welfare-of-the-child> accessed 13 June 2024

¹¹⁵ Wikipedia 'African Charter on the Rights and Welfare of the Child'
https://en.wikipedia.org/wiki/African_Charter_on_the_Rights_and_Welfare_of_the_Child accessed 13 June 2024.

handicapped children to special protection; right to health and health services; protection from child labour; protection against child abuse and torture; right of a child to special treatment in the administration of juvenile justice; right to family protection; right to parental care and protection; right to protection against harmful social and cultural practices; prohibition of a child into armed conflict; right of refugee children to protection; right of a child separated from parents to special protection; protection against apartheid and discrimination; right to be protected from sexual exploitation; protection from drug abuse; protection from sale, trafficking and abduction, and special protection of children of imprisoned mothers.

2.3 DOMESTICATION IN STATES

The convention on the Rights of the Child enjoins that: Member states shall undertake to disseminate the Conventions principles and take all appropriate Legislative, administrative and other measures for the Implementation of the rights recognized in the

Present convention.¹¹⁶

The draft Child Rights Bill aimed at principally Enacting into law in Nigeria the principles enshrined in the convention on the Rights of the child in the early 1990s. But, it is only after about ten years with several Heads of Government and geared debates by the parliamentarians that the Bill Was eventually passed into law by the National Assembly in July 2003. It was Assented to by the president of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, in September 2003, and promulgated as the Childs Rights Act 2003.¹¹⁷

¹¹⁶ UNCRC Article 4 < <https://www.unicef.org/child-rights-convention/convention-text> > accessed septempter 4th 2025.

¹¹⁷ INFORMATION SHEET, The Child's Rights Act August 2007 < https://ovcsupport.org/wp-content/uploads/Documents/Child_Rights_Act_Nigeria_UNICEF_information_sheet_1.pdf > accessed September 4th 2025.

According to available statistics, the Child Rights Act (CRA) has been domesticated across most of the states in Nigeria. However, there are variations in reports regarding the exact number of states that have adopted it. While some sources assert that all 36 states¹¹⁸ have given legislative backing to the CRA, others maintain that only 34 states¹¹⁹ have done so, with notable exceptions such as Kano and Zamfara¹²⁰ which are yet to adopt it due to socio-cultural and religious considerations. Whichever statistical position one adopts, the more important point to emphasize is that the CRA has gained recognition across Nigeria's six geographical zones. This widespread acceptance underscores a collective acknowledgment of the need to protect and promote the rights of children, irrespective of regional, ethnic, or religious differences. It further highlights the fact, at least on paper; Nigeria has made commendable progress in laying the legislative foundation for child protection. Nonetheless, while the passage and domestication of the CRA represent a significant milestone, the real challenge lies not in adoption but in implementation and enforcement. The lived realities of children across Nigeria reveal a persistent gap between the legal framework and actual practice. Issues such as child marriage, child labour, trafficking, lack of access to quality education, and abuse continue to thrive in various states despite the existence of the CRA. This raises critical questions about the functionality of the law, the commitment of state governments to enforcement, and the role of cultural and religious practices in shaping compliance. It is the crucial issue of implementation, how the CRA is being applied, monitored, and challenges to enforcement across the selected states from six geographical zones that will form the core discussion of the next two chapters. These chapters will examine the

¹¹⁸ Universal Children's Day 2024: Nigeria's Efforts To Advance Children's Rights And End Violence Against Children By Samuel Anyanwu -November 20, 2024 < <https://fminio.gov.ng/universal-childrens-day-2024-nigerias-efforts-to-advance-childrens-rights-and-end-violence-against-children/> >Accessed August 31st 2025.

¹¹⁹ Nigeria's implementation of Child Rights Act still at zero- ExpertsPublished on September 23, 2023 By Chika Onyesi <<https://dailypost.ng/2023/09/23/nigerias-implementation-of-child-rights-act-still-at-zero-experts/>>Accessed August 31st 2025.

¹²⁰ Child Rights Act now adopted in 34 states, says minister by Maryam Abdullahi November 25, 2022 <<https://www.thecable.ng/child-rights-act-now-adopted-in-34-states-says-minister/>> Accessed August 31st 2025.

structural, institutional, socio-cultural, and economic challenges hindering effective enforcement of the CRA, while also analyzing the disparities in implementation between states where the law has been domesticated and those where it remains resisted or ineffective.

CHAPTER THREE

This Chapter examines why the Child Rights Act (CRA) has not achieved full operational success across Nigeria despite its enactment in 2003. It explores cultural, socio-economic, institutional and political constraints that weakens its enforcement mechanisms. Despite the progressive nature of the CRA and its alignment with the international conventions, its full implementation across Nigeria has remained largely ineffective. While the Act provides a comprehensive legal framework for the protection and welfare of children, its functional operation faces several obstacles rooted in Nigeria's complex cultural, religious, political, legal and institutional weaknesses.

3.1 FACTORS HINDERING THE FUNCTIONAL OPERATION OF THE CHILD RIGHT ACT

Nigeria operates three different legal regimes simultaneously: English Common Law, the Islamic Sharia Law and the Customary Law.¹²¹ The first Bill on Children's Rights was introduced in 1993 but could not be passed into law by the military government due to opposition from religious groups and traditionalists. Consequently, a Special Committee was set up to "harmonize the Children's Bill with Nigerian religious and customary beliefs."¹²² In 2002, the revised Children Bill encapsulating rights and responsibilities of children in Nigeria was rejected for the same reasons. Due to passionate appeals by international and national NGOs, the National Assembly acting under its power to legislate for the Federal Capital Territory (FCT)

¹²¹ Obilade, A.O(1979), The Nigerian Legal System.

¹²² 1996 Nigeria Report on the implementation of the Convention on the Right of the Child submitted to the Committee on the Rights of the Child. Available at http://www.cleen.org/nigeria_ngo_report_OMCT.pdf. (Last accessed March 2009).

enacted the Child Rights Act (CRA) as a law for only the FCT in September, 2003.¹²³ The various states could then adopt the Act as part of its laws. "The main objection targeted a provision setting 18 years as the minimum age for marriage. This was said to be incompatible with religious and cultural traditions in various parts of the country, where [girls] are given in marriage at a younger age."¹²⁴ Many national and international NGOs, as well as other sectors of the civil society in Nigeria, criticized this decision and forced the legislature to reconsider its decision to oppose to the Child Rights Bill. Finally, it was adopted in September 2003.¹²⁵

3.1.1 CULTURAL AND RELIGIOUS BARRIER

Culture and religion play a dominant role in shaping societal behavior and perceptions in Nigeria. While they serve as sources of moral guidance and social cohesion, they have also, in many instances, posed significant obstacles to the effective implementation of Child Rights Act.

Child marriage is a prevalent practice in parts of the north. Children about the age of 10 or 12 years get betrothed or married off.¹²⁶ While the Child's Rights Act prohibits child betrothal and child marriage, there are other operational laws that make exceptions.¹²⁷ The basis for this is that in Islam, puberty is a determining factor in a (girl) child's readiness for marriage. Fixing 18 years

¹²³ Ibid.

¹²⁴ UNICEF, quoted in Integrated Regional Information Networks (IRIN), Nigeria: Focus on the challenge of enforcing children's rights, November 2002. < <https://reliefweb.int/report/nigeria/nigeria-irin-focus-challenge-enforcing-childrens-rights#:~:text=With%20northern%20Nigeria%20having%20the,victory%2C%22%20he%20told%20IRIN.&text=%5BThis%20item%20is%20Delivered%20to,sites%20requires%20written%20IRIN%20permission.%5D> > accessed 16th November 2025.

¹²⁵ Ibid

¹²⁶ Nigeria. Save the Children. [https://Nigeria.savethechildren.net/files/library/changing the story of the Nigerian Girl Child.pdf](https://Nigeria.savethechildren.net/files/library/changing%20the%20story%20of%20the%20Nigerian%20Girl%20Child.pdf). Accessed Date: 12th Feb. 2021.

¹²⁷IBID

as the minimum age does not fit their doctrine.¹²⁸ The need for child's rights enforcement therefore becomes pertinent in some States in Nigeria. Other religious concerns against the acceptance of the Child's Rights Act in some States include children's right to freedom of religion, differences in the inheritance rights of male and female children, and the Sharia's prohibition of adoption, in favor of kafalah, which distinguishes between biological and non-biological children.¹²⁹ In the case of African societies, it seems one can conclude the following: Such rights that address harmful traditional practices and promote the equality of women or feminism in a highly patriarchal society are still very contentious.¹³⁰ This is especially the case in societies where some people believe that promoting the rights of women and girls is an attempt to disempower men and remove their perceived authority over women.¹³¹ Traditional cultural practices or religious beliefs have been passed on from one generation to the next. As such, some people who are deeply influenced by culture view harmful practices as the norm and not as a violation.¹³² However, these conclusions should not be used to justify harmful practices. Rather, practical measures or strategies should be put in place to properly deal with harmful cultural practices and violations of human rights in Africa.¹³³ It is worth noting that within each

¹²⁸ Al-islam, Muslim marriage. <https://www.al-islam.org/religion-al-islam-and-marriage/age-marriage> Date of Access: 23 Nov. 2020.

¹²⁹ IBID

¹³⁰ Tharoor "Are Human Rights Universal?" 1999/2000 World Policy Journal 2-3 <http://tembusu.nus.edu.sg/docs/Shashi%20Tharoor.pdf> (accessed 20-09-2017).

¹³¹ Olaborede and Rembe 'Reflections on the Debate Between Universality of Human Rights and Cultural Relativism in the Context of Child Marriage in Africa', spectrum juris vol 32(2) 2018 < <https://www.saflii.org/za/journals/SPECJU/2018/8.pdf> > accessed 8th September 2025.

¹³² ibid

¹³³ ibid

culture issues to be resolved and processes taken with regard to these strategies may vary.¹³⁴ For example, in the context of child marriage, internal cultural discourse could involve the participation of key government officials, human rights or children's rights institutions, relevant non-governmental organizations (NGOs), family heads, and religious or traditional leaders. Women and girls should also be involved in the process to challenge existing harmful cultural practice or the interpretation of the practice.¹³⁵ This process will involve constructive dialogue, negotiations, persuasion and adjustments based on the flexibility permitted within the culture to present alternative views of such a harmful practice.¹³⁶ The term 'codification' should be considered in relation to those parts of custom and tradition that have been sufficiently clarified.¹³⁷ This is with regard to people within a culture who initiate a process of change of a cultural tradition through internal cultural discourse and cross-cultural dialogue in a highly patriarchal African society and arrive at an alternative view or goals and an outcome that is culturally legitimate.¹³⁸ The Researchers argue that these outcomes should be codified. Codification will further deepen consensus for culturally legitimate international human rights standards,¹³⁹ promote compliance due to fear of sanction for violating the law,¹⁴⁰ prevent any

¹³⁴ *ibid*

¹³⁵ UNFPA "Ending Child Marriage: A Guide for Global Policy Action" < <https://www.unfpa.org/sites/default/files/pub-pdf/endchildmarriage.pdf> > accessed 16th November 2025.

¹³⁶ Olaborede and Rembe 'Reflections on the Debate Between Universality of Human Rights and Cultural Relativism in the Context of Child Marriage in Africa', *spectrum juris* vol 32(2) 2018 < <https://www.saflii.org/za/journals/SPECJU/2018/8.pdf> > accessed 8th September 2025.

¹³⁷ *ibid*

¹³⁸ An-Na'im Human Rights in Cross-Cultural Perspectives: A Quest for consensus. University of Pennsylvania Press < <https://www.globalization101.org/files/aannaim/pdfiles/dwnld31.pdf> > accessed 16th November 2025.

¹³⁹ *IBID*

attempt aimed at monopolizing and manipulating the outcomes of dialogue,¹⁴¹ as well as further strengthen disadvantaged individuals and groups, especially women and girls to challenge any attempt at any harmful practice or manipulations thereof.¹⁴² In addition, it is evident that efforts to resolve conflicting issues between human rights and culture, especially problems of harmful cultural practices like child marriage, require different practical and sustainable strategies.

3.1.2 ECONOMIC CHALLENGES

It is true that Nigerians recognize children's rights in a way, but, actual implementation of most of them are inadequate. In Nigeria, we still have children roaming the street and/or hawking without going to school. Insecurity is the order of the day; children are abducted, kidnapped and even threatened while in school. Many children suffer malnutrition which affects their social, psychological and intellectual well-being. The standard of living is low and as such most children live in thatched houses which, also affect their health, coupled with inadequate health facilities. In Nigeria, especially in the rural areas, there are a lot of malnourished children. Even the parents are malnourished too due to high cost of living – lack of food and other essential needs. The children's rights to live and to develop suitably - physically and intellectually are directly or indirectly thwarted. Children's access to appropriate alimentation (food supply and nourishment), necessary care and education are unsatisfactory. They do not enjoy the protection corresponding with their age and degree of maturity. These call for rethinking and

¹⁴⁰Olaborede and Rembe 'Reflections on the Debate Between Universality of Human Rights and Cultural Relativism in the Context of Child Marriage in Africa', *spectrum juris* vol 32(2) 2018 < <https://www.saflii.org/za/journals/SPECJU/2018/8.pdf> > accessed 8th September 2025.

¹⁴¹ An-Na'im Human Rights in Cross-Cultural Perspectives < <https://www.globalization101.org/files/aannaim/pdfiles/dwnld31.pdf> > accessed 16th November 2025.

¹⁴² IBID

reconsideration of the country's policies in order to accommodate and cater for children who are the potential leaders of tomorrow. Really, mere recognition of these rights is not enough; there is need for serious enforcement and implementation. This will make the essence of child's rights realizable, meaningful and enjoyable. Poverty is a major factor driving child labour in Nigeria, particularly in rural and underdeveloped areas where families depend on their children's income for survival. Limited employment opportunities and the absence of social safety nets force parents to send their children to work, often in unsafe environments.¹⁴³ Tackling poverty and providing sustainable livelihoods for families are essential to reducing child labour and ensuring children can pursue education and safe development. Poverty alleviation is critical, as many families rely on their children's income for survival.¹⁴⁴ Expanding access to quality education can help prevent children from being forced into labour, while stronger enforcement of child protection laws is necessary to ensure accountability. Government agencies, such as NAPTIP, need increased funding and resources to effectively combat trafficking and exploitation. It cannot be denied that abject poverty, adverse economic environment, unemployment, massive retrenchments, under employment and the poor quality of life have made parents who would otherwise have been most caring and loving to neglect and even at times to abuse their children.¹⁴⁵ It is also unfortunate that in Nigeria the enabling environment needed for enforcing

¹⁴³ An Examination of Protection of Children against Child Labour in Nigeria Ejike Francis Okaphor & Chisom Grace Nwoye ISSN: 2736-0342 NAU.JCPL Vol. 11 (4) 2024. < https://scholar.google.com/scholar?hl=en&as_sdt=0%2C5&q=++An+Examination+of+Protection+of+Children+against+Child+Labour+in+Nigeria+Ejike+Francis+Okaphor+%26+Chisom+Grace+Nwoye+ISSN%3A+2736-0342+++NAU.JCPL+Vol.+11+%284%29+2024.&btnG= > accessed 6th September 2025.

¹⁴⁴ IBID

¹⁴⁵ Katarina Tomasevski, UN Special rapporteur on the rights to education < https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/Tomasevski_Primer%203.pdf > accessed 16th November 2025.

laws is not available. Education is far from being free, poverty is the order of the day, housing schemes are inadequate, efficient social system is absent and policies for children are virtually non-existence especially for orphans and vulnerable children. It has been said¹⁴⁶ that for education to be a meaningful right, it must be available, accessible, acceptable and adaptable. It is the duty of the government being the prime duty bearer to respect, protect and fulfill this concept.

3.1.3 LEGAL AND INSTITUTIONAL WEAKNESSES

Institutional barriers continue to hinder and delay responses to recurring instances of child abuse.¹⁴⁷ These barriers have implications for the effectiveness of agencies responsible for addressing such issues. The presence of processes means that children who have reported cases of child abuse may experience several challenges until their claims are heard and resolved. Bureaucratic processes involve procedures and structures that must be followed before reaching a decision. Consequently, bureaucracies often contribute to delays that pose a threat to welfare.¹⁴⁸ The intricate dynamics, within bureaucracies, can impede responses to incidents of child abuse thereby exacerbating harm inflicted upon the child. Another obstacle, within the system that can contribute to inefficiency in addressing child abuse cases, is the lack of cooperation among agencies once a report has been made. Although various agencies have been assigned the responsibility of safeguarding children, the lack of coordination renders their presence ineffective.¹⁴⁹ To ensure an effort in protecting children it is crucial to establish consistency in

¹⁴⁶ Ibid

¹⁴⁷ Okaru-Bisant V. Overcoming institutional and legal barriers that prevent abused females from accessing justice in fragile Nigerian regions, *American University Journal of Gender, Social Policy & the Law*. 2019;27(1):1- 41.< <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1718&context=jgspl> > accessed 16th November 2025.

¹⁴⁸ ibid

¹⁴⁹ ibid

roles and clearly outline the responsibilities of each agency. Communication plays a role in any field but its effectiveness diminishes when there is poor collaboration between these agencies resulting in delayed responses to child abuse issues. Consequently, it is evident that the response to child abuse cases has been hindered due to the absence of coordination that would facilitate action.¹⁵⁰ Moreover, the violation of children's rights is exacerbated by the absence of protocols. This means that there are no procedures or expected conduct, for organizations and individuals when encountering cases of child abuse.¹⁵¹ It is imperative to establish guidelines to ensure that the best and most effective response is provided for addressing child abuse situations.

Also, Child Protection Services and law enforcement agencies encounter difficulties due, to the number of cases they handle. The overwhelming workload hampers their ability to effectively intervene and support individuals in need. As a result, the quality of services provided may be compromised, leading to gaps in assistance.¹⁵² The sheer volume of cases often prevents Child Protection Services and law enforcement agencies from allocating time and resources to those who require it the most. This can result in poor quality service delivery as professionals are compelled to address competing and sometimes conflicting demands arising from their involvement, in cases.¹⁵³ Consequently, victims impacted by these cases frequently suffer because comprehensive interventions have not been fully delivered. Excessive caseloads can also

¹⁵⁰ *ibid*

¹⁵¹ Heron RL, Eisma MC. Barriers and facilitators of violence service: to disclosing the domestic healthcare ,A systematic review of qualitative research, Health and Social Care in the Community. 2021; 29(3):612 630. < https://www.researchgate.net/publication/348447233_Barriers_and_facilitators_of_disclosing_domestic_violence_to_the_healthcare_service_A_systematic_review_of_qualitative_research > accessed 6th September 2025.

¹⁵² Boyas JF, **Exploring the health of child protection workers: A call to action , health promot perspect** 2022;12(4):381 390.< <https://pmc.ncbi.nlm.nih.gov/articles/PMC9958233/> > accessed 16th November 2025.

¹⁵³ *ibid*

contribute to burnout diminishing their effectiveness. In their efforts to provide assistance across cases, it is inevitable that professionals may lack the energy or motivation.

Furthermore, when caseloads become overwhelming there is an increased risk that some cases will be overlooked or neglected. With limited resources available agencies and professionals tend to prioritize pressing matters. Unfortunately, this prioritization leaves cases unattended or disregarded. This can result in harm to victims to tackle the challenges posed by caseloads it is crucial to allocate funding and resources to Child Protection Services and law enforcement agencies.¹⁵⁴ These increased funds should be specifically designated for hiring personnel and offering support, training, and assistance to these professionals. Potential strategies may involve prioritizing cases and working in collaboration, with community partners. If executed properly every child would receive the attention and support leaving no one behind.

Legal challenges can be major roadblocks to successful prosecution and navigating the legal system.¹⁵⁵ The burden of proof, delays in court proceedings, and the need for expert witnesses can all hinder the use of legal interventions in these cases, and become a major obstacle to child protection services. Another barrier when it comes to the law for child protection is not all professionals involved in the case understand child protection law.¹⁵⁶ This is where training and education programmes would be essential to the Child Protection Services lawyers, Judges, and social workers. The unwillingness of bystanders and witnesses to come forward with what they have witnessed is also deemed a barrier. Therefore, public awareness and outreach would be another essential thing to do. The outreach programme should serve as a tool to educate the

¹⁵⁴ *ibid*

¹⁵⁵ Agada J and Umbu E, Criminal Justice Administration in Nigeria: A Critical Look at the Administration of Criminal Justice Act, Babcock University Socio-Legal Journal. 2015;(10);45-66. < https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4177062 > accessed 6th September 2025.

¹⁵⁶ *ibid*

general public by letting them know what is happening within their own backyards in relation to child neglect and abuse.¹⁵⁷ These educating programmes would be put in place to raise public awareness and inform the public on the best ways to go about/reporting child neglect and abuse. The ability to address some of the legal causation barriers and the need to ensure that people work together can improve some of the legal causes of child abuse and neglect cases.

3.1.4 PUBLIC AWARENESS GAPS

Child abuse cases are often not reported for reasons. These reasons include fear, lack of awareness, about services, cultural influences, and a lack of trust in the system.¹⁵⁸ Consequently, child protection agencies and law enforcement face challenges, in identifying and intervening in such situations. Additionally, child protection workers and law enforcement officers often lack the training to handle these cases with sensitivity, efficiently gather facts and evidence or adequately support child victims.¹⁵⁹ One of the predominant challenges to child protection and safeguarding in Nigeria is the inadequate awareness and understanding of child protection policies. Many people do not even know that there are child protection policies for schools. For instance, the CRA 2003 reports revealed that the poor implementation of child rights is as a result of low sensitization. Similarly, an investigation carried out in Lagos State over the increase in school negligence and child abuse cases revealed that there was low level of awareness about

¹⁵⁷ *ibid*

¹⁵⁸ Heron RL, Eisma MC. Barriers and facilitators of violence service: to disclosing the domestic healthcare ,A systematic review of qualitative research, *Health and Social Care in the Community*. 2021; 29(3):612-630. < https://www.researchgate.net/publication/348447233_Barriers_and_facilitators_of_disclosing_domestic_violence_to_the_healthcare_service_A_systematic_review_of_qualitative_research > accessed 16th November 2025; Agada J and Umbu E, Criminal Justice Administration in Nigeria: A Critical Look at the Administration of Criminal Justice Act, *Babcock University Socio-Legal Journal*. 2015;(10);45-66. < https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4177062 > accessed 6th September 2025.

¹⁵⁹ Heron RL, Eisma MC. Barriers and facilitators of violence service: to disclosing the domestic healthcare ,A systematic review of qualitative research, *Health and Social Care in the Community*. 2021; 29(3):612-630. < https://www.researchgate.net/publication/348447233_Barriers_and_facilitators_of_disclosing_domestic_violence_to_the_healthcare_service_A_systematic_review_of_qualitative_research > accessed 16th November 2025.

the existence of child protection policies for schools.¹⁶⁰ The effect is that the life, health, security and well-being of children are endangered, particularly in rural areas of Nigeria. In some of these schools, children do not have access to good water supply, healthy and conducive environment for learning, adequate facilities, neither are teachers trained on child protection nor screened before employment.¹⁶¹ It is believed that the menace of child abuse practices cannot be resolved when the people who are supposed to protect the rights of the children are not aware of the fact that children has some rights and that violations of these rights are punishable under the law. If the menace of child's rights violation continues, then the future is blurred for the state since children are the building blocks of any meaningful development in any area.¹⁶² Also, Lack of educational materials is a factor that influences the implementation of the CRA,¹⁶³ insufficient information in textbooks and an ambiguous national curriculum hinder the implementation of the CRA. Poor integration of the CRA into the school curriculum is one of the factors influencing the implementation of the Child's Rights Act, most of the respondents stated that child's rights have not been incorporated into the school curriculum.¹⁶⁴

¹⁶⁰ Brisibe, Beimony Vivien (2024) The legal implications of child protection and safeguarding policies: A Nigeria Perspective. *International Journal of Social Science and Human Research*, 7(9), 6915-6927 <<https://ijsshr.in/v7i9/Doc/24.pdf> >accessed 6th September 2025.

¹⁶¹ *ibid*

¹⁶² *ibid*

¹⁶³ Olubukola Ebunoluwa Ojelade 'Students' and Teachers' Perspectives on the Child's Rights Act in a Southwestern Nigerian City' *Journal of Social and Educational Research*, 2025, 4(1), 69-77. <<https://share.google/56PcOP2nQsgs41I1J>> accessed 6th September 2025.

¹⁶⁴ *ibid*

3.1.5 INADEQUATE FUNCTIONING AND TRAINING OF THE LAW ENFORCEMENT AGENCIES

The Act provides for the establishment of family courts for each of the States of the Federation and the Federal Capital Territory¹⁶⁵ for the purpose of hearing and determining matters relating to children. These Courts are virtually nonexistent in the states. The few in existence are not well equipped. Generally the role of the courts and law enforcement agencies is to carry out their duty of law enforcement. The court also has a role while performing its duty to educate citizens in the voluntary and conscientious observance of laws.¹⁶⁶ Unfortunately due to lack of training and poor funding the judicial arm of the government as well as the police force are yet to be fully conscientious of principles and content of the Act whereby making enforcement difficult.¹⁶⁷ Majority of the populace are not conversant with the content of the Act. The legal framework for the protection of the child is not only unknown by the children or their parents, but also social welfare agencies and all other persons or bodies who are in a position to protect the rights of the children.¹⁶⁸ For the Act not to be a toothless bulldog the government needs to take all necessary steps to realize its dreams of developing Nigerian children and giving them a future.

When evaluating child right protection in Nigeria, the CRA extends to include human rights bestowed to citizens in Nigeria's 1999 Constitution to children¹⁶⁹ Even though the Act is broadly

¹⁶⁵ Section 149 CRA

¹⁶⁶ A James, Social perception of child rights: A case study of Minna Town(Nigerian Institute of Advanced Legal Studies, Lagos, 2008). <<https://www.nials-nigeria.org/projects/SOCIETAL%20PERCEPTION%20PROJECT.pdf> > accessed September 6th 2025.

¹⁶⁷ *ibid*

¹⁶⁸ A James, Social perception of child rights: A case study of Minna Town(Nigerian Institute of Advanced Legal Studies, Lagos, 2008). <<https://www.nials-nigeria.org/projects/SOCIETAL%20PERCEPTION%20PROJECT.pdf> > accessed September 6th 2025.

¹⁶⁹ D. Ogunniyi, "The Challenge of Domesticating Children's Rights Treaties in Nigeria and Alternative Legal Avenues for Protecting Children" (2018), 62, *Journal of African Law*, 447–470 <

framed, there is a significant disconnect between what the law says and how it actually works in practice. The gap in implementation is largely due to shortages in manpower, funding, and infrastructure.¹⁷⁰ Although despite not yet achieving full realization of children's rights, the CRA has yielded real gains in certain areas, making it worthwhile because of noticeable improvements.¹⁷¹ The Constitution also makes some provisions that guarantee the child of his fundamental rights for the reason of sharing in the same humanity.¹⁷²

https://www.researchgate.net/publication/328029569_The_Challenge_of_Domesticating_Children's_Rights_Treaties_in_Nigeria_and_Alternative_Legal_Avenues_for_Protecting_Children > accessed 6th September 2025.

¹⁷⁰ G T Ina, *Child Domestic Work in Nigeria: Conditions of Socialisation and Measures of Intervention* (Waxmann Verlag GmbH, Germany 2014), 296.<

https://www.researchgate.net/publication/280640280_Child_Domestic_Work_in_Nigeria_Conditions_of_Socialisation_and_Measures_of_Intervention/link/55c0852308aed621de13bf6c/download?_tp=eyJjb250ZXh0Ijp7InBhZ2UiOiJwdWJsaWNhdGlvbilsInByZXZpb3VzUGFnZSI6bnVsbH19 > accessed 16th November 2025.

¹⁷¹ UMENWEKE & UMEGO: An Appraisal of the Laws Safeguarding the Rights of Children in Nigeria, NAUJOPL 1 (1) 2024, <https://share.google/Umc4WjkufqloPah3> > accessed September 6th 2025.

¹⁷² *ibid*

CHAPTER FOUR

COMPARATIVE ANALYSIS OF CHILD RIGHTS ACT ENFORCEMENT ACROSS SELECTED NIGERIAN STATES

4.1 INTRODUCTION

This chapter undertakes a comparative analysis of the enforcement and implementation of the Child Rights Act (CRA) 2003 across selected Nigerian states representing the six geopolitical zones. While the Act was enacted at the federal level to domesticate the provisions of the United Nations Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), Its effectiveness largely depends on the willingness and capacity of individual states to domesticate and implement its provisions.

The analysis aims to reveal disparities in CRA enforcement across regions and to understand how political commitment, cultural orientation, religious beliefs, institutional capacity, and socio-economic realities influence child protection outcomes. Furthermore, it identifies lessons from various states, examines the challenges from Southern states to Northern states, and suggests best practices to strengthen child rights protection nationwide.

4.2 CASE STUDY: AKWA IBOM STATE (SOUTH-SOUTH REGION)

4.2.1 BACKGROUND OF THE AKWA IBOM CHILD RIGHTS LAW (CRL,2008).

The Akwa Ibom State Child Rights Law (CRL,2008), modeled after the CRA 2003, and aligned with the UNCRC, outlines the fundamental freedoms and entitlements that enable children to survive, be protected, and develop. These rights are essential to a child's well-being, potential, and recognition as a full member of society. The CRL was passed into law by the Akwa Ibom

State House of Assembly in 2008 under the leadership of Mrs. Ekaette Unoma Akpabio, who championed its passage to arrest the endemic problems of child labour and trafficking in the state.¹⁷³ Her NGO, the Family Life Enhancement Initiative (FLEI), established a rehabilitation facility equipped with a clinic, counseling units, computer studio, and recreational facilities for juvenile offenders.¹⁷⁴ Despite these commendable efforts, the persistent presence of child abuse and exploitation has raised questions about the functionality of this intervention.

4.2.2 MEDIA AND PUBLIC AWARENESS AS DRIVERS OF ENFORCEMENT

One of the major mechanisms through which the CRA can be effectively implemented is public awareness. The media-particularly newspapers play a critical role in shaping societal understanding of child rights, holding stakeholders accountable, and advocating for children's welfare.¹⁷⁵ Local newspaper such as Global Concord, The Sensor, and The Pioneer, have served as vital tools for disseminating information on social issues, including child protection.¹⁷⁶ According to some scholars, newspapers remain powerful instruments for promoting children's rights, influencing policy decisions, and shaping public opinion.¹⁷⁷ However, existing studies

¹⁷³ Akwa Ibom advocates child rights law review by Ayoyinka Jegede, Uyo <https://guardian.ng/news/akwa-ibom-advocates-child-rights-law-review/> accessed 10th November 2025.

¹⁷⁴ *ibid*

¹⁷⁵ Gospel Isangadighi 'Representation of Child Rights Issues in Local Newspapers in Akwa Ibom State, Nigeria: A Perceptual Study of Uyo Residents' <https://www.researchgate.net/publication/390358696_Representation_of_Child_Rights_Issues_in_Local_Newspapers_in_Akwa-Ibom_State_Nigeria_A_Perceptual_Study_of_Uyo_Residents> accessed 4th September 2025

¹⁷⁶ Pilipili, F. W., & Oloo Ong'ong'a, D. (2024). An assessment of level of prominence given to children's rights in the daily nation and standard online newspapers in Kenya. June 2024
Science Mundi4(1):127-136

<https://www.researchgate.net/publication/381625021_An_Assessment_of_Level_of_Prominence_Given_to_Children's_Rights_in_The_Daily_Nation_and_Standard_Online_Newspapers_in_Kenya> accessed 16th November 2025.

¹⁷⁷ Asad, F., & Parker, O. (2025). Traditional Media vs. New Media: Analyzing News Consumption Patterns in a Contemporary Media Landscape. <https://www.researchgate.net/publication/387853897_Traditional_Media_vs_New_Media_Analyzing_News_Consumption_Patterns_in_a_Contemporary_Media_Landscape> accessed 16th November 2025.

show that media representation significantly affects the degree of public involvement and governmental response to children's welfare cases.¹⁷⁸ Unfortunately, in Akwa Ibom State, the coverage of child rights issues has been notably inadequate. A content analysis of local newspapers revealed that only 17% of published content focused on child rights, often buried in inside pages rather than on front or editorial sections, indicating low prioritization of these issues.¹⁷⁹ While Uyo residents were found to be relatively well-informed about child rights, many expressed dissatisfaction with the limited and inconsistent reporting standards.¹⁸⁰ This insufficient visibility weakens public engagement and policy influence. To enhance advocacy, it is recommended that government agencies and NGOs partner with media houses to amplify child rights reporting through storytelling, real-life examples, and continuous monitoring of the public's response to coverage.¹⁸¹ Future research should also explore the influence of other media platforms; radio, television, and social media on child rights advocacy across different Nigerian regions.

4.2.3 IMPLEMENTATION CHALLENGES

Implementation, according to Olaniyi involves the interaction, the practical between goal-setting and the actions taken to achieve those goals.¹⁸² Similarly, another author describes implementation as the phase where the practical realities of the problem are addressed.¹⁸³

¹⁷⁸ *ibid*

¹⁷⁹ Representation of Child Rights Issues in Local Newspapers in Akwa Ibom State, Nigeria: A Perceptual Study of Uyo Residents.

https://www.researchgate.net/publication/390358696_Representation_of_Child_Rights_Issues_in_Local_Newspapers_in_Akwa-Ibom_State_Nigeria_A_Perceptual_Study_of_Uyo_Residents> accessed 4th September 2025

¹⁸⁰ *ibid*

¹⁸¹ *ibid*

¹⁸² Ukpong Johnsoh Sunday, NIGERIAN ENVIRONMENT AND THE CHALLENGES OF IMPLEMENTING THE CHILD RIGHTS LAW: A CASE STUDY OF AKWA IBOM AND CROSS RIVER STATES, Journal of Social Science and Public Policy Volume 4, June 2012. < <https://www.cenresinjournals.com/wp-content/uploads/2020/03/page-58-64-733-1.pdf> > accessed 4th September 2025.

¹⁸³ *ibid*

Although Akwa Ibom has made commendable progress in policy formulation, challenges persist in translating the CRL into tangible outcomes for children. Some researchers emphasize that access to essential social services; food, shelter, healthcare, and education is a non-negotiable right of every child.¹⁸⁴ However, gaps in implementation have led to preventable deprivation, including inadequate immunization coverage and poor access to quality education in rural areas.¹⁸⁵ Furthermore, the best interests and welfare of the child must be actively promoted by parents, caregivers, and governmental agencies such as the ministry of women affairs and the department of social welfare.¹⁸⁶ Yet, Nigeria's social environment is characterized by moral decline, child neglect, and an alarming increase in child abuse and drug use, issues deeply rooted in weakened family and institutional values.¹⁸⁷

4.2.4 LEGAL AND POLICY GAPS

One major concern regarding the Akwa Ibom CRL is its definition of a child as a person below 16 years.¹⁸⁸ This diverges from the CRA 2003 and the CRC, which define a child as anyone under 18 years. Therefore, an amendment is necessary to ensure alignment with national and international standards.¹⁸⁹ There is also a need for holistic policy framework and stronger institutional collaboration between the federal and state governments to ensure effective implementation. Establishing special family courts with legislative backing is essential for the

¹⁸⁴ *ibid*

¹⁸⁵ *ibid*

¹⁸⁶ *ibid*

¹⁸⁷ *ibid*

¹⁸⁸ Akwa ibom state, invictus Africa < <https://invictusafrica.org/wp-content/uploads/2024/12/AKWA-IBOM.pdf> > accessed 4th September 2025.

¹⁸⁹ *ibid*

timely adjudication of child-related cases.¹⁹⁰ The stigmatization of children as witches or wizards, a practice still reported in some communities, should be criminalized with severe penalties to deter offenders.¹⁹¹ Child trafficking also requires stringent legal and administrative mechanisms at the federal, state, and local levels to prevent exploitation.¹⁹² Encouragingly, recent reports indicate that the Akwa Ibom State Government has pledged to strengthen partnerships with the African Union to enhance child welfare programs and protection initiatives.¹⁹³ The First Lady, Lady Helen Eno Obareki, has also expressed her commitment to revising the CRL to address emerging child related challenges.¹⁹⁴

4.2.5 PERSISTENT CHALLENGE: CHILD LABOUR

While Akwa Ibom State has not experienced widespread cases of child marriage compared to northern states, child labour remains a persistent concern. Despite legislative efforts, many children continue to face abuse and forced servitude.

For instance, the cases of Rebecca Asuquo Edet (10 years old) from Ishiet Ekim, Uruan LGA, and Moses Ita Edem (7 years old) from Obong Itam, Itu LGA, illustrate the ongoing challenge. Both children were reportedly adopted by a woman who subjected them to daily street hawking to support her income. Rebecca, burdened with selling multiple buckets of sachet water daily,

¹⁹⁰ Akwa Ibom advocates child rights law review by Ayoyinka Jegede,Uyo <https://guardian.ng/news/akwa-ibom-advocates-child-rights-law-review/> accessed 10th November 2025.

¹⁹¹ Abuse of Child's Right Law in Akwa Ibom by Idongesit Ashsmeri,< <https://baralpha.wordpress.com/2015/05/21/abuse-of-childs-right-law-in-akwa-ibom-idongesit-ashameri/> > accessed 10th November 2025.

¹⁹² *ibid*

¹⁹³ Akwa Ibom, AU to partner on child's rights protection by Aniefiok Udonquak, july 27, 2025.< <https://businessday.ng/news/article/akwa-ibom-au-to-partner-on-childs-rights-protection/> > accessed 10th November 2025.

¹⁹⁴ Akwa Ibom advocates child rights law review by Ayoyinka Jegede,Uyo <https://guardian.ng/news/akwa-ibom-advocates-child-rights-law-review/> accessed 10th November 2025.

missed school frequently, reflecting how poverty and family disintegration undermine the CRL's objectives.¹⁹⁵

These cases highlight the need for stronger monitoring mechanisms, community sensitization, and economic empowerment programs for caregivers to reduce reliance on child labour as a survival strategy.

4.2.6 SUMMARY AND WAY FORWARD

Akwa Ibom State stands out as a proactive state in the South-South region regarding child rights legislation. However, enforcement remains inconsistent. The CRL's impact has been limited by insufficient media advocacy, weak institutional follow-up and social attitudes that normalize child labour.¹⁹⁶

To enhance child protection:

1. Amend the CRL (2008) to align the age of a child with international standards (under 18 years).
2. Strengthen media partnerships to sustain public advocacy and monitor progress.
3. Establish family courts to expedite child-related cases.
4. Expand public awareness programs targeting rural communities.
5. Implement economic empowerment schemes for vulnerable families to curb child labour.
6. Promote collaboration among government agencies, NGOs, and traditional institutions.

¹⁹⁵ Abuse of Child's Right Law in Akwa Ibom by Idongesit Ashsmeri, <https://baralpha.wordpress.com/2015/05/21/abuse-of-childs-right-law-in-akwa-ibom-idongesit-ashameri/> accessed 10th November 2025.

¹⁹⁶ *ibid*

Only through sustained implementation, public engagement, and institutional accountability can the vision of the CRA and CRL guarantee every child's right to survival, protection, and development to be fully realized.

4.3 CASE STUDY: ENUGU STATE (SOUTH-EAST REGION)

4.3.1 BACKGROUND OF THE ENUGU CHILD RIGHTS LAW (CRL,).

The implementation of the Child's Rights Act (CRA) across Nigeria has encountered several challenges, and Enugu State serves as an illustrative case in the South East region. According to an author, countries and regions often face tensions between children's rights and existing cultural values, which affect attitudes towards child protection.¹⁹⁷ Practices such as child labour, and physical discipline remain culturally embedded, sometimes conflicting with the universal principles of the CRA. An Author also emphasized that certain provisions of the CRA conflict with traditional norms, creating legal and cultural barriers to its full implementation. He called for deeper analysis of these factors to understand how they influence children's rights at both the national and state levels.¹⁹⁸

4.3.2 DOMESTICATION OF THE ACT IN ENUGU STATE

Enugu State achieved a significant milestone in 2016 when the Child Rights and Responsibility Law (CRRL) was enacted by the Enugu State House of Assembly. The Bill presented by Governor Ifeanyi Ugwuanyi's administration and sponsored by Hon. Ikechukwu efforts from the

¹⁹⁷ Reading R, Bissell S, Goldhagen J, Harwin J, Masson J, Moynihan S, Parton N, Pais MS, Thoburn J (2009). Promotion of children's rights and prevention of child maltreatment. *Lancet* 2009; 373: 332–43 < [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(08\)61709-2/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(08)61709-2/fulltext)> accessed 16th November 2025.

¹⁹⁸ Akinwumi OS (2009). Legal impediments on the practical implementation of the Child Right Act 2003. *Int. J. Legal Information*. 37 (3): 10.< <https://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=1192&context=ijli> > accessed 16th November 2025.

Enugu State Children's Parliament, which had appealed passionately for the passage of the law.¹⁹⁹

The CRRL 2016 marked Enugu's formal domestication of the federal CRA, seeking to safeguard the welfare, protection, and development of children while recognizing the complementary roles of parents, guardians, and relevant institutions.

4.3.3 IMPLEMENTATION EFFORTS

Following the passage of the CRRL, the Enugu State government pledged full commitment to its implementation. The State commissioner for Gender Affairs, Mrs. Peace Nnaji, affirmed that the ministry was collaborating with the Enugu State Judiciary, Justice Reform Team, and TAMAR Sexual Assault Centre (SAC) to operationalize the law.²⁰⁰

Practical Measures Include:

The establishment of family courts in various judicial divisions and magisterial districts;

The appointment of Welfare Officers to oversee the protection and correctional supervision of children; and Partnerships with development organizations, such as Lynx-Nigeria under the EU-funded Aflatoun Child's Right Cooperative Project, to promote children's welfare and

¹⁹⁹ Enugu children hail ugwuanyi over passage of child rights bill into law by this daylive < <https://www.thisdaylive.com/2016/08/07/enugu-children-hail-ugwuanyi-over-passage-of-child-rights-bill-into-law/> > accessed November 11th 2025.

²⁰⁰ Child right act, enugu govt partners group implementation by this daylive < <https://dailypost.ng/2018/12/12/childs-right-act-enugu-govt-partners-group-implementation/> > accessed November 11th 2025.

awareness.²⁰¹ Despite these steps, Nnaji noted that implementation required substantial funding to ensure that the necessary structures and personnel were effectively sustained.²⁰²

4.3.4 FINDINGS FROM POST-DOMESTICATION STUDY

A study conducted in Nsukka town, several years after the CRRL was passed, revealed that public awareness and understanding of the law remained very low. While a majority of respondents had heard about the Child Rights Law, only a few had knowledge of its actual provisions.²⁰³ This result was particularly concerning given Nsukka's status as a university environment expected to be more informed. The findings reflected a broader issue of insufficient sensitization and education across Enugu State, showing that the law's existence had not translated into widespread awareness or behavioural change.²⁰⁴

4.3.5 PERSISTENT CHALLENGES

Despite progress in legal domestication, the implementation of the CRRL 2016 remains weak. Stakeholders, civil society, organizations, schools, traditional rulers, and religious leaders, have identified poor enforcement as a major reason for the continued high rate of abuse in the state.²⁰⁵ During a consultative forum, the group recommended several strategies to strengthen enforcement, including:

²⁰¹ *ibid*

²⁰² *ibid*

²⁰³ Matthias Chukwuma Nwande, PhD, Child's Rights and Responsibility Law (CRRL) Of Enugu State And The Implementation Challenges In Rural Communities: A Study Of Uzo Uwani Local Government Area, *International Journal of Innovative Legal & Political Studies* 9(3):128-139, July-Sept., 2021. < <https://www.seahipublications.org/wp-content/uploads/2024/07/IJILPS-S-12-2021.pdf> > accessed November 16th 2025.

²⁰⁴ *ibid*

²⁰⁵ *ibid*

Functional Family Courts with trained personnel to handle child-related cases in a child-sensitive manner; Increased public advocacy and education on child protection; and Stronger inter-agency collaboration for data sharing, case management, and policy, monitoring.²⁰⁶ These challenges suggest that while the framework for protection exists, implementation has yet to achieve full effectiveness.

4.3.6 CONCLUSION AND WAY FORWARD

The enactment of the Child Rights Law (2016) represents a commendable step toward child protection in Enugu State. However, persistent gaps in funding, institutional coordination, and public awareness continue to limit its impact.

To ensure full realization of children's rights, the following measures are essential:

1. Sustained awareness campaigns targeting schools, communities, and media outlets to educate citizens on the provisions of the CRRL.
2. Adequate funding and resource allocation to support family courts and welfare offices.
3. Capacity-building programs for judicial officers, law enforcement agents, and social workers.
4. Community engagement through traditional and religious institutions to align cultural practices with child protection standards.

With these measures, Enugu State can translate legislative progress into tangible improvement in the welfare and protection of children across the South East region.

²⁰⁶ *ibid*

4.4 CASE STUDY: OYO STATE (SOUTH-WEST REGION)

4.4.1 BACKGROUND OF THE OYO CHILD RIGHTS LAW (CRL, 2006).

Oyo State domesticated the Child Rights law, 2006. However, despite domestication, the enforcement of the law remained limited for several years due to the absence of a specialized legal forum to handle child-related cases. To address this enforcement gap, Governor Seyi Makinde commissioned the Oyo State Family Court at the High Court of Justice Iyaganku, Ibadan, on 13th July 2020.²⁰⁷ This specialized court, in collaboration with the Oyo Ministry of Women Affairs Rapid Response Team (OYOMWA-RRT), now provides a dedicated mechanism for the enforcement of child rights, ensuring swift intervention in cases of violations.²⁰⁸

4.4.2 AWARENESS AND IMPLEMENTATION OF CHILD RIGHTS

Academic sources indicate that awareness of child rights in Oyo State is incomplete and unevenly distributed.²⁰⁹ While many stakeholders including students, teachers, and the general public recognize basic rights such as the right to education, health, and a name or nationality, knowledge of full provisions of the CRA remains limited.²¹⁰ Teachers often attempt to educate students about child rights through classroom discussions and school assemblies.²¹¹ However, there is no structured or formalized system for teaching the CRA in schools. Educational

²⁰⁷ Oyo State Government, Oyo commissions Family Court, promotes child Rights. <<https://oyostate.gov.ng/oyo-commissions-family-court-promotes-child-rights/>> accessed 11th November 2025.

²⁰⁸ *ibid*

²⁰⁹ Olubukola Ebunoluwa Ojelade 'Students' and Teachers' Perspectives on the Child's Rights Act in a Southwestern Nigerian City' *Journal of Social and Educational Research*, 2025, 4(1), 69-77. <<https://share.google/56PcOP2nQsgs4111j>> accessed 6th September 2025.

²¹⁰ *ibid*

²¹¹ *ibid*

resources, including textbooks, articles, guidelines on child rights, are largely insufficient, leaving gaps in comprehensive knowledge.²¹²

4.4.3 KEY CHALLENGES IN IMPLEMENTATION

Several legal, institutional, social, and practical factors hinder the effective implementation of the CRA in Oyo State:

1. INSTITUTIONAL GAPS

Prior to 2020, enforcement mechanisms were weak due to the absence of specialized courts and legal structures for handling child rights cases.

Even after the establishment of the family Court, logistical and administrative challenges continue to limit effective enforcement, including staffing and accessibility issues for rural communities.²¹³

2. LIMITED AWARENESS AND EDUCATION

Both students and teachers often have only a partial understanding of child rights, leading to selective awareness of only certain rights, such as education and healthcare. Teachers lack formal training on the CRA, and there is no structured program to educate students systematically about their rights.²¹⁴

²¹² *ibid*

²¹³ Ojebiyi,(2017). Societal awareness of the child's rights act among rural and urban dwellers of Ogun state. *Journal of Humanities, Social Science and Creative Arts*, 11(1), 16–27. < https://www.researchgate.net/publication/353772587_SOCIETAL_AWARENESS_OF_THE_CHILD'S_RIGHTS_ACT_AMONG_RURAL_AND_URBAN_DWELLERS_OF_OGUN_STATE > accessed 7th September 2025.

²¹⁴ Ojebiyi,(2017). Societal awareness of the child's rights act among rural and urban dwellers of Ogun state. *Journal of Humanities, Social Science and Creative Arts*, 11(1), 16–27. < https://www.researchgate.net/publication/353772587_SOCIETAL_AWARENESS_OF_THE_CHILD'S_RIGHTS_ACT_AMONG_RURAL_AND_URBAN_DWELLERS_OF_OGUN_STATE > accessed 7th September 2025; Olubukola Ebunoluwa Ojelade 'Students' and Teachers' Perspectives on the Child's Rights Act in a Southwestern Nigerian City' *Journal of Social and Educational Research*, 2025, 4(1), 69-77. < <https://share.google/56PcOP2nQsgs4111J> > accessed 6th September 2025.

3. CURRICULUM GAPS

Child rights are not fully integrated into school curriculum. Coverage is often limited to one or two subjects and is not treated as a compulsory or examinable component. The absence of a standardized curriculum for child rights education hinders nationwide uniformity in awareness.²¹⁵

4. RESOURCE CONSTRAINTS

Schools and local education authorities face a shortage of teaching aids, textbooks, and other relevant materials necessary for teaching and promoting child rights.

Insufficient funding limits outreach programs and awareness campaigns for children and parents.²¹⁶

5. COMMUNITY AND SOCIETAL FACTORS

Traditional beliefs, cultural practices, and societal norms may conflict with CRA provisions, affecting public perception and enforcement.

Limited community involvement reduces reporting and advocacy, leaving violations unaddressed.²¹⁷

6. MONITORING AND ENFORCEMENT WEAKNESSES

²¹⁵ Lilly, P. S., & Daniel, S. M. (2021). Practice of Child Rights by School Teachers-A focal area of School Social Work Practice. 12(2), 650–658. <

https://www.researchgate.net/publication/368542610_Practice_of_Child_Rights_by_School_Teachers-_A_focal_area_of_School_Social_Work_Practice > accessed 6th September 2025.

²¹⁶ Deb, S., & Mathews, B. (2012). Children's rights in India: Parents' and teachers' attitudes, knowledge and perceptions. 20(2), 241–264. <

https://www.researchgate.net/publication/270538072_Children's_Rights_in_India_Parents'_and_Teachers'_Attitudes_Knowledge_and_Perceptions > accessed 16th November 2025.

²¹⁷ *ibid*

There is no systematic mechanism for tracking or evaluating the enforcement of child rights at the local or state level. Coordination between government agencies, schools, and civil society organizations remains fragmented.²¹⁸

4.4.4 CONCLUSION

Oyo State demonstrates notable progress in the domestication and legal enforcement of the CRA through the establishment of the Family Court and the Rapid Response Team. Nevertheless, persistent challenges including limited awareness, insufficient educational resources, gaps in curriculum integration, institutional weaknesses, and societal attitudes continue to hinder full implementation. Addressing these challenges requires:

1. Structured teacher training programs and formal inclusion of child rights in the school curriculum.
2. Improved resource allocation for educational materials and awareness campaigns.
3. Strengthened institutional frameworks to ensure effective reporting, monitoring, and enforcement.
4. Greater community engagement and advocacy to bridge the gap between law and practice.

Through such measures, Oyo State can serve as a model for South-West Nigeria, demonstrating both the potential and the challenges of translating legal frameworks on child rights into meaningful protection and empowerment for children.

²¹⁸ Students' and Teachers' Perspectives on the Child's Rights Act in a Southwestern Nigerian City, *Journal of Social and Educational Research*, 2025, 4(1), 69-77. < <https://share.google/56PcOP2nQsgs41I1J> > accessed 6th September 2025.

4.5 NORTH-CENTRAL CASE STUDY: NASARAWA STATE

Nasarawa State domesticated the Child Rights Act (CRA) 2003 through the Nasarawa State Child Rights Law (CRL) 2005, becoming one of the earliest states in the North-Central region to adopt the legislation. However, effective enforcement and institutional implementation remained limited for over a decade.²¹⁹ It was not until 2023 that the state made a major stride toward operationalizing the law through the establishment and the adoption of the Family Court.²²⁰

This development, initiated under the Nasarawa State Ministry of Justice in collaboration with the Ministry of Women Affairs and Social Development marked a significant milestone in strengthening the legal and institutional framework for protecting children's rights. The family Court provides a specialized forum for handling child-related cases, ensuring privacy during trials, promoting diversionary and non-custodial measures, and guaranteeing legal representation for minors in line with the provisions of the CRA.²²¹

4.5.1 AWARENESS AND IMPLEMENTATION OF CHILD RIGHTS

Despite early domestication, awareness of the CRL among stakeholders remains low. Studies indicate that a significant portion of the population especially in rural communities has limited knowledge of the CRA and its protective provisions.²²² While institutions such as the Ministry and social Development and a few civil society organizations have initiated awareness

²¹⁹ Ajobe, A. T. (2023) 17 years later After Child Rights Law Adoption, Nasarawa gets Family Court. < <https://leadership.ng/17-years-after-child-rights-law-adoption-nasarawa-gets-family-court/> > accessed 12th November 2025.

²²⁰ *ibid*

²²¹ Umar, A. (2024). The Nigerian juvenile justice system: Implementation, challenges and the way forward. Gamji Journal of Contemporary Legal Studies, 1(1). < <https://zenodo.org/records/13126958> > accessed 16th November 2025.

Ajobe, A. T. (2023). Nigeria: 17 years after child rights law adoption, Nasarawa gets family court. AllAfrica.com / Leadership. < <https://allafrica.com/stories/202303100245.html> > accessed 16th November 2025.

²²² *ibid*

campaigns, these efforts have not been widespread or sustained.²²³ Teachers and students often know only the basic rights to education, health, and shelter, but lack a full understanding of protection against abuse, neglect, and exploitation. This limited knowledge weakens public demand for enforcement and contributes to the persistence of child labour, early marriage, and other child protection violations.²²⁴

4.5.2 CHALLENGES IN IMPLEMENTATION

Several Legal, institutional, and socio-economic factors have hindered the effective enforcement of the Child Rights Law in Nasarawa State:

1. INSTITUTIONAL GAPS

Although the Family Court has been established, its reach and functionality remain limited, especially in rural areas where access to justice is poor. Many judicial officers and law enforcement agents lack specialized training in child-sensitive legal procedures, leading to procedural lapses and misapplication of the law.²²⁵

1. WEAK INTER-AGENCY COLLABORATION

Coordination between the judiciary, police, correctional services, and social welfare departments remains weak. The absence of a centralized case management system makes it difficult to track child-related cases and ensure consistent enforcement.²²⁶

2. INADEQUATE INFRASTRUCTURE

²²³ AN APPRAISAL OF LEGAL FRAMEWORK AND PRACTICES IN THE PROSECUTION OF CHILD OFFENDERS IN NASARAWA STATE, NIGERIA. MEDITERRANEAN PUBLICATION AND RESEARCH INTERNATIONAL INTERNATIONAL JOURNAL – AIMR VOL. 09 NO. 2 – JULY, 2025. < <https://mediterraneanpublications.com/mejaimr/article/view/820/893> > accessed 16th November 2025.

²²⁴ *ibid*

²²⁵ *ibid*

²²⁶ Wilson Diriwari, W. (2023). Nigerian juvenile justice system and the resocialization of young offenders. South Asian Journal of Social Studies and Economics, 20(4). < <https://journalsajsse.com/index.php/SAJSSE/article/view/757/1505> > accessed 16th November 2025.

Nasarawa State lacks purpose-built juvenile remand homes and rehabilitation facilities. As a result, child offenders are often detained in adult facilities, exposing them to abuse and violating their rights under the CRA.²²⁷

3. LIMITED AWARENESS AND COMMUNITY INVOLVEMENT

Awareness campaigns have been sporadic, and cultural practices in some communities continue to conflict with the principles of the CRA. Traditional and religious leaders who are key influencers, have not been fully integrated into child protection advocacy and sensitization programs.

4. FUNDING AND RESOURCE CONSTRAINTS

Implementation agencies such as the Ministry of Women Affairs and Social Development operate with inadequate budgets. The absence of dedicated funding for protection limits staff recruitment, training, and outreach activities.²²⁸

5. MONITORING AND EVALUATION DEFICIENCIES

There is no institutionalized mechanism for monitoring the progress of CRA implementation or evaluating the impact of existing child protection programs. Data on child rights violations remain fragmented, making policy reform and accountability difficult.²²⁹

²²⁷Asabe Waziri Justice Advocacy Initiative [AWJAI] (2024). Juvenile justice in Nigeria: Shifting focus from punishment to rehabilitation. Asabe Waziri Justice Advocacy Initiative.< <https://awjai.org/juvenile-justice-in-nigeria/> > accessed 16th November 2025.

²²⁸ Umar, A. (2024). The Nigerian juvenile justice system: Implementation, challenges and the way forward. Gamji Journal of Contemporary Legal Studies, 1(1). < <https://zenodo.org/records/13126958> > accessed 16th November 2025.

²²⁹ ibid

4.5.3 RECOMMENDATIONS

The domestication of the Child Rights Law in 2005 and the establishment of the family Court in 2023 represent significant milestones in Nasarawa State's commitment to child protection. However, eighteen years after domestication, implementation remains, implementation remains slow due to weak institutional capacity, limited awareness, infrastructural inadequate funding.²³⁰

To improve enforcement, the following measures are essential:

- i. Institutional strengthening through regular training for judicial and enforcement officers.
- ii. Creation of juvenile-specific facilities and rehabilitation centers.
- iii. Enhanced collaboration between justice, welfare, and correctional agencies.
- iv. Increased public awareness through targeted community sensitization.
- v. Dedicated budgetary allocations for child protection initiatives.

While these measures in place, Nasarawa State can consolidate its recent progress and serve as a model for effective implementation of the Child Rights Act in the North-Central region, translating legal provisions into tangible protection and empowerment for every child.

²³⁰ AN APPRAISAL OF LEGAL FRAMEWORK AND PRACTICES IN THE PROSECUTION OF CHILD OFFENDERS IN NASARAWA STATE, NIGERIA. MEDITERRANEAN PUBLICATION AND RESEARCH INTERNATIONAL INTERNATIONAL JOURNAL – AIMR VOL. 09 NO. 2 – JULY, 2025. < <https://mediterraneanpublications.com/mejaimr/article/view/820/893> > accessed 16th November 2025.

4.6 NORTH-EAST CASE STUDY: BORNO STATE

4.6.1 BACKGROUND OF THE BORNO STATE CHILD PROTECTION LAW(BSCPL 2021)

Borno State domesticated the Child Rights Act (CRA) through the enactment of the Borno State Child Protection Law (BSCPL) IN 2021. This came after years of advocacy and legislative effort to provide a robust legal framework for child welfare and protection within the state. On 10 January 2022, Governor Babagana Umara Zulum signed the bill into law, a move widely commended by UNICEF as a victory for the children of Borno State.²³¹

This legislative milestone made Borno the 29th state in Nigeria to domesticate the Child Rights Act 2003, signaling a critical shift in the state's commitment to child protection despite the devastating effects of over a decade of armed conflict. Borno remains the epicenter of insurgency in Nigeria's North-East, where children have been disproportionately affected through recruitment by armed groups, sexual violence, abductions, displacement, and lack of access to education and healthcare.²³²

By introducing the BSCPL, Borno State established a legal mechanism to address these challenges and to secure the fundamental rights of children to survival, development, protection, and participation, as recognized under the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).²³³

²³¹ UNICEF commends Governor Zulum for signing Child Protection Law. < <https://www.unicef.org/nigeria/press-releases/unicef-commends-governor-zulum-signing-child-protection-law> > accessed 13th November 2025.

²³² *ibid*

²³³ Rights group applauds as Borno signs child protection bill into law, the guardian Nigeria News.< <https://guardian.ng/news/rights-group-applauds-as-borno-signs-child-protection-bill-into-law/> > accessed 13th November 2025.

4.6.2 ALIGNMENT WITH THE CHILD RIGHTS ACT 2003

The BSCPL 2021 aligns closely with the Federal Child Rights Act 2003, both of which define a child as any person below the age of 18 years and uphold the best interest of the child as the paramount consideration in all actions concerning children. Both laws guarantee the rights to education, health, dignity, protection from abuse, and freedom from discrimination and exploitative labour.²³⁴

However, the Borno Law reflects a contextual adaptation of the CRA, integrating local customs and Sharia principles to enhance community acceptance. For instance, while the CRA adopts a universal approach to prohibiting early marriage, the BSCPL addresses it through parental and community responsibilities, reflecting sensitivity to the State's religious and cultural landscape.²³⁵

Notably, the BSCPL goes beyond the CRA by including provisions specific to conflict-affected children, such as rehabilitation and reintegration measures for child soldiers and survivors of sexual violence. It also outlaws harmful practices such as skin marking, and ensures that traditional and religious leaders participate in child welfare committees, thereby bridging the gap between formal statutory law and customary community enforcement.²³⁶

4.6.3 CHALLENGES IN THE IMPLEMENTATION OF THE BSCPL 2021

Despite its progressive framework, several challenges hinder the effective enforcement of the child protection law in Borno State. These challenges mirror the broader difficulties faced in

²³⁴ Borno State Child Protection Law 2021 < <https://genderpedia.ng/shop/laws/borno-state-child-protection-law-2021/> > accessed 16th November 2025.

²³⁵ *ibid*

²³⁶ Borno State Protection Law 2021, ss 21, 25, 26

implementing the Child Rights Act Across Nigeria, especially in conflict-affected and culturally conservative regions.²³⁷

1. LEGISLATIVE AND POLICY GAPS

Certain provisions in the BSCPL remain vague or open to interpretation terms such as appropriate authority or reasonable punishment are not clearly defined, creating inconsistencies in judicial application. Furthermore, overlaps between statutory, customary, and sharia systems generate conflicts in sensitive areas such as guardianship, inheritance, and parental discipline. Without clear conflict-resolution mechanisms, the protection of children's rights is left vulnerable to competing interpretations of law.²³⁸

2. INSTITUTIONAL WEAKNESSES

Implementation is hampered by limited institutional capacity. Social welfare departments lack adequate personnel, resources, and training. The absence of specialized family and juvenile courts delays justice and discourages child-sensitive adjudication. Local child welfare committees, though established by law, are often under-resourced and lack clear mandates for coordination with community leaders or law enforcement agencies.²³⁹

3. SOCIO-CULTURAL RESISTANCE

Entrenched cultural and religious practices continue to undermine the law's enforcement. Child marriage, street hawking, and the Almajiri system persist due to poverty, traditional beliefs, and misinterpretation of religious norms. Limited community engagement and

²³⁷ Elgujja, Abba and Alkali, Umar and Abubakar, Hauwa, Localising Child Rights in Post-Conflict Settings: A Doctrinal Analysis of Borno State's Child Protection Law, 2021 (September 05, 2025). Available at SSRN:< <https://ssrn.com/abstract=5532239> or <http://dx.doi.org/10.2139/ssrn.5532239>> accessed 13th November 2025.

²³⁸ *ibid*

²³⁹ UNICEF, Situation Analysis of Children Affected by Armed Conflict in Nigeria (2024). < https://www.unicef.org/nigeria/media/10591/file/State-of-Nigerias-Children_Summary-of-the-2024-Updated-SitAn.pdf > accessed 13th November 2025.

awareness campaigns mean that the law is often perceived as externally imposed rather than locally owned. Without consistent advocacy by traditional and religious leaders, compliance remains weak.

4. PROTECTION GAPS FOR VULNERABLE CHILDREN

While the law prohibits child exploitation and conflict recruitment, it provides limited practical protection for the most vulnerable groups:

- i. Children with disabilities lack concrete provisions on inclusive education, accessibility, and healthcare, failing short international standards.
- ii. Conflict-affected and internally displaced children face challenges of family separation, lack of psychosocial support, and restricted access to education and health services.
- iii. Rehabilitation and reintegration programs for rescued children and survivors of violence are underdeveloped and underfunded.²⁴⁰

5. WEAK MONITORING AND EVALUATION FRAMEWORK

There is no independent oversight body to track implementation or assess impact. Data on child abuse, trafficking, and related offences remain fragmented, impeding evidence-based policymaking. The absence of a central data management system and irregular reporting undermines accountability and progress measurement.²⁴¹

4.6.4 RECOMMENDATIONS

To ensure the BSCPL fulfills its transformative potential, the following measures are crucial:

1. LEGAL AND POLICY REFORMS

²⁴⁰ *ibid*

²⁴¹ CRC, art 44(1) < <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child> > accessed 6th September.

- i. Clarify ambiguous terms such as Appropriate authority, Reasonable punishment, and Age of maturity to align definitions with the CRA and CRC.²⁴²
- ii. Establish mechanisms to resolve conflicts between statutory, customary, sharia law while upholding the best interest of the child as the ultimate legal standard.²⁴³
- iii. Develop subsidiary regulations for foster care, adoption, rehabilitation centres, and emergency protection orders.²⁴⁴

2. INSTITUTIONAL STRENGTHENING

- i. Train judicial officers, social workers, and law enforcement agents on child sensitive practices and case management.²⁴⁵
- ii. Establish specialized family and juvenile courts with trained judges and confidential procedure.²⁴⁶
- iii. Empower and fund local child welfare committees to implement and monitor the law at the community level.²⁴⁷

2. COMMUNITY ENGAGEMENT

- i. Partner with religious and traditional leaders to promote the compatibility of child rights with cultural and religious values.²⁴⁸

²⁴² Borno State Child Protection Law 2021, s2

²⁴³ A.A. Oba, 'Islamic Law as Customary Law: The Changing Perspective in Nigeria' (2002) 51 international and comparative Law Quarterly 817 <
https://www.researchgate.net/publication/231933175_Islamic_Law_as_Customary_Law_The_Changing_Perspective_in_Nigeria > accessed 16th November 2025.

²⁴⁴ Borno State Child Protection Law 2021, ss 33-35, 44, 47.

²⁴⁵ UNICEF, Child Protection Capacity Building in Nigeria (2024). <
<https://www.unicef.org/nigeria/media/11161/file/Annual%20Report%202024.pdf.pdf> > accessed 16th November 2025.

²⁴⁶ Borno State Child Protection Law 2021, ss 47-49

²⁴⁷ Elgужа, Abba and Alkali, Umar and Abubakar, Hauwa, Localising Child Rights in Post-Conflict Settings: A Doctrinal Analysis of Borno State's Child Protection Law, 2021 (September 05, 2025). Available at SSRN: < <https://ssrn.com/abstract=5532239> or <http://dx.doi.org/10.2139/ssrn.5532239> > accessed 13th November 2025.

²⁴⁸ ibid

ii. Conduct grassroots sensitization campaigns in local languages through radio, theatre, and social media.²⁴⁹

iii. Promote child participation through children's clubs and councils to give young people a voice in governance and reform.²⁵⁰

3. SUSTAINABLE FINANCING

i. Create a Child Protection Fund with dedicated budget lines for rehabilitation, foster care, and emergency protection.²⁵¹

ii. Encourage public private partnerships and donor collaborations for education and rehabilitation programs, particularly for displaced and vulnerable children.²⁵²

4. STRENGTHENING PROTECTION FOR VULNERABLE GROUPS

i. Adopt detailed frameworks for children with disabilities, conflict-affected, and internally displaced children, ensuring access to education, psychosocial care, and reintegration programs.²⁵³

5. MONITORING AND EVALUATION

i. Establish an independent Child Protection Commission to monitor enforcement and publish annual reports.²⁵⁴

ii. Implement a centralized data system for tracking child rights violations and policy outcomes.²⁵⁵

²⁴⁹ UN OCHA, Humanitarian Needs Overview: Nigeria (2024). < <https://www.unocha.org/publications/report/nigeria/nigeria-humanitarian-needs-overview-2024> > accessed 16th November 2025.

²⁵⁰ CRC, art 12; ACRWC, art 22.

²⁵¹ Borno State Child Protection Law 2021, ss 47-49.

²⁵² UNICEF, Education in Emergencies: Northeast Nigeria Report (2023)< <https://www.unicef.org/nigeria/education> > accessed 16th November 2025.

²⁵³ Ibid

²⁵⁴ CRC, art 44 (1)

²⁵⁵ UNICEF, Child Protection Information Management System in Emergencies (2022). < <https://www.unicef.org/child-protection> > accessed 16th November 2025.

- iii. Conduct periodic reviews of the law every five years to adapt to emerging challenges.

4.6.5 CONCLUSION

The Borno State Child Protection Law 2021 represents a significant milestone in advancing children's rights in Northern Nigeria. By contextualizing universal child-rights principles within local religious and customary frameworks, it achieves both legal legitimacy and cultural acceptance. However, without effective implementation, funding, and continuous engagement with community structures, its potential impact remains limited. If the state sustains political will, strengthens institutions, and builds local ownership, Borno could emerge as a model for localized child protection systems in Nigeria and other conflict-affected regions. The law's success will not only safeguard children's rights but also contribute to peace building, social stability, and long-term development in the North-East.

4.7 NORTH-WEST CASE STUDY: KANO STATE

4.7.1 BACKGROUND

Kano State stands as one of the most significant states in Northern Nigeria in terms of child protection concerns due to its large population and high number of vulnerable children.²⁵⁶ In 2023, the state enacted the Kano State Child Protection Law, aligning its legal framework with global and national standards, including the UN Convention on the Rights of the Child (UN

²⁵⁶ Why Kano Child Protection Law Must Be Properly Implemented: A call to Action as Children's Day Approaches- Prime Time News < <https://primetimenews.ng/why-kano-child-protection-law-must-be-properly-implemented-a-call-to-action-as-childrens-day-approaches/> > accessed 14th November 2025.

Convention on the Rights of the Child (CRC), the African Charter on the Child (ACRWC), and the federal Child Rights Act (CRA) 2003.²⁵⁷

The passage of the law came after extensive consultations with key stakeholders-religious leaders, traditional rulers, community-based organizations-to ensure its compatibility with cultural and religious contexts. The law addresses critical child protection concerns such as:²⁵⁸

1. Prevention of child abuse, neglect, and exploitation.
2. Prohibition of child trafficking and forced labour.
3. Regulation and reform of the Almajiri system.
4. Child rights to education and healthcare.
5. Establishment of mechanisms for child justice, welfare, and rehabilitation.
6. Strengthening sanctions for offences such as rape and harmful practices.

The enactment of the law was widely celebrated as a significant step forward, especially given Kano's position as the state with one of the highest populations of out-of-school children in Nigeria.²⁵⁹ However, despite the strong legal foundation, the implementation and enforcement of the law remain weak.

4.7.2 CHALLENGES IN THE IMPLEMENTATION OF THE KANO STATE CHILD PROTECTION LAW

1. Weak Enforcement Mechanisms

²⁵⁷ UNICEF Applauds Kano State for Enacting Child Protection Law, Calls for Effective Implementation. < <https://www.unicef.org/nigeria/press-releases/unicef-applauds-kano-state-enacting-child-protection-law-calls-effective> > accessed 14th November 2025.

²⁵⁸ Why Kano Child Protection Law Must Be Properly Implemented: A call to Action as Children's Day Approaches- Prime Time News. < <https://primetimenews.ng/why-kano-child-protection-law-must-be-properly-implemented-a-call-to-action-as-childrens-day-approaches/> > accessed 14th November 2025.

²⁵⁹ *ibid*

Although the law provides a comprehensive framework, its enforcement is undermined by limited institutional capacity. Agencies responsible for child welfare such as child protection units, family courts, and social services remain underfunded, understaffed, and poorly equipped. Law enforcement officers and judicial personnel often lack the training needed to interpret and apply the law effectively.²⁶⁰

2. Low Public Awareness and Cultural Misconceptions

A major challenge is the widespread ignorance of the law among community members, and even local authorities. In many rural and semi-urban communities, harmful traditional practices persist because citizens are unaware of the legal implications. This includes early marriage, child street hawking, and the exploitation of Almajiri children. Without massive sensitization, the law remains largely unknown and unenforced.²⁶¹

3. Prevalence of Out-of-School Children and the Almajiri System

Kano has consistently recorded one of the highest numbers of out-of-school children in the country.²⁶² The persistence of the unregulated Almajiri system continues to expose children to neglect, hunger, forced begging, abuse and exploitation. Despite the law's intent to reform the system, the absence of structured implementation has left thousands of children vulnerable.

4. Rising Cases of Child Trafficking and Forced Labour

Reports from the state legislature have shown increasing cases of children trafficked to serve as domestic workers in other regions. Many of these children experience abuse, denial of education,

²⁶⁰ *ibid*

²⁶¹ *ibid*

²⁶² Kano Assembly raises alarm over child trafficking- Tribune online; UNICEF Raises Alarm Over 989,234 Out-of-School Children in Kano, Urges Swift Implementation of Child Protection Law-Nigeria Education News. < <https://tribuneonlineng.com/kano-assembly-raises-alarm-over-child-trafficking/> > accessed 14th November 2025.

and unsafe working conditions.²⁶³ Weak enforcement has emboldened perpetrators who operate with little fear of punishment.

5. Inadequate Monitoring and Accountability Systems

There is no functional statewide mechanism to track compliance, evaluate progress, or hold institutions accountable for lapses in child protection. The absence of monitoring committees or implementation taskforces has resulted in slow and inconsistent enforcement across local governments.²⁶⁴

4.7.3 RECOMMENDATIONS

1. Establish and Empower Child Protection Institutions

Kano State should immediately operationalize child protection committees, functional family courts, and dedicated child welfare units across all local governments. These institutions should be given authority, resources, and clear mandates.

2. Increase Budgetary Allocation for Child Protection

The state government must earmark funds specially for enforcement, capacity building, child shelters, rehabilitation programmes, and monitoring activities to ensure sustainable implementation.²⁶⁵

²⁶³ *ibid*

²⁶⁴ Why Kano Child Protection Law Must Be Properly Implemented: A call to Action as Children's Day Approaches- Prime Time News. < <https://primetimenews.ng/why-kano-child-protection-law-must-be-properly-implemented-a-call-to-action-as-childrens-day-approaches/> > accessed 14th November 2025.

²⁶⁵ *ibid*

3. Reform and Regulate the Almajiri System

A structure plan should be developed to integrate Almajiri children into formal and non-formal education systems. This includes providing alternative schooling, feeding arrangements, and training for teachers and almajiri guardians.²⁶⁶

4. Strengthen Law Enforcement and Judicial Capacity

Police officers, social workers, magistrates, and judicial personnel require specialized training on child safeguarding, reporting procedures, handling child victims, and prosecuting offenders.²⁶⁷

5. Create a Monitoring and Accountability Framework

A Multi-Stakeholder taskforce including government agencies, NGOs, UNICEF, and community representatives should be established to track progress, publish annual reports, and recommend corrective actions.

6. Collaboration with NGO's and international Partners.

Partnership with UNICEF, Save the Children, and local NGOs can provide technical support, training, and community-based interventions to strengthen implementation.²⁶⁸

4.7.4 CONCLUSION

Kano State's enactment of the Child Protection Law in 2023 marked an important commitment to safeguarding children's rights. However, the gap between legal adoption and practical enforcement remains wide. The persistence of children and harmful practices demonstrates that the law has yet to achieve its intended impact. Strengthening enforcement through awareness,

²⁶⁶ *ibid*

²⁶⁷ *ibid*

²⁶⁸ UNICEF Applauds Kano State for Enacting Child Protection Law, Calls for Effective Implementation < <https://www.unicef.org/nigeria/press-releases/unicef-applauds-kano-state-enacting-child-protection-law-calls-effective> > accessed 14th November 2025.

institutional development, funding, and political commitment is essential to ensure that children in kano receive the protection and opportunities the law promises. This case study illustrates not only the challenges within kano but also the broader difficulties faced by North-West states in operationalizing the Child Rights Act effectively.

Having identified the regional challenges affecting the enforcement of the Child's Right's Act from southern to Northern regions, and also proposed context specific recommendations; it becomes imperative to consolidate these findings into a broader evaluative framework. Chapter Five therefore presents the summary of major findings, conclusion, and actionable recommendations arising from this study. It synthesizes the core issues discussed, reflects on their implications for child protection in Nigeria, and outlines strategic measures that can guide legislators, institutions, stakeholders toward more effective implementation of the Child's Rights Act nationwide.

CHAPTER FIVE

SUMMARY/RECOMMENDATIONS

This Chapter presents a summary of the study, conclusions drawn from the major findings, and recommendations for strengthening the enforcement of the Child Rights Act in Nigeria. This Section gives a brief overview of the entire research.

5.1 GENERAL FINDINGS

The Child's Rights Act (CRA) is comprehensive but enforcement remains weak nationwide; cultural, religious, and institutional factors influence compliance. This study set out to examine the challenges affecting the enforcement of the Child's Rights Act (CRA) in Nigeria. The background discussion established that children's rights are protected under a broad framework of international and regional human rights instruments, notably the United Nations Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).²⁶⁹ The CRC, being a legally binding international treaty, sets out the civil, political, social, economic, and cultural rights of every child regardless of race, religion, or ability.²⁷⁰ The ACRWC complements these provisions within the African regional context.

Although Nigeria has ratified the CRC and thereby undertaken to respect and promote the rights contained therein, the rights articulated in these international instruments become enforceable domestically only through incorporation into the national legal framework. The Child's Rights Act of 2003 was enacted to domesticate the CRC, and reports indicate that the CRA has now

²⁶⁹ United Nations Convention on the Rights of the Child, 1989; African Charter on the Rights and Welfare of the Child, 11 July 1990 <https://en.m.wikipedia.org/wiki/Convention_on_the_Rights_of_the_Child>; https://en.wikipedia.org/wiki/African_Charter_on_the_Rights_and_Welfare_of_the_Child> accessed 4th septembter 2025

²⁷⁰ *ibid*

been adopted across all six geographical zones through state-level Child Rights Laws (CRLs), in compliance with Nigeria's federal structure.²⁷¹

Despite this comprehensive legislative framework, violations of children's rights remain widespread. UNICEF data indicates that West and Central Africa record some of the highest levels of child marriage globally, with one in three women married before the age of 18. Similarly, children continue to engage in various forms of labour both paid and unpaid, some of which fall below acceptable international standards for child welfare. The findings of this study reveal that, although the CRA aligns with global child protection norms, its enforcement across Nigeria has been weak and inconsistent. The Act's effectiveness is undermined by a combination of cultural, socio-economic, legal, institutional, and political challenges.

Cultural and Religious norms strongly influence societal behavior in Nigeria. While these norms contribute to social cohesion, they often conflict with the child protection principles embedded in the CRA. A notable example is child marriage, which remains prevalent in parts of Northern Nigeria, where girls as young as 10 or 12 are betrothed or married off.²⁷² Although the CRA prohibits child betrothal and marriage, certain operational laws at the state level continue to create exceptions or contradictions, thereby limiting full enforcement.²⁷³

In summary, the general findings show that the progressive and well-developed legal framework for child protection in Nigeria has not translated into effective protection for children. Implementation continues to be hindered by entrenched cultural practices, economic realities,

²⁷¹ Universal Children's Day 2024: Nigeria's Efforts To Advance Children's Rights And End Violence Against Children By Samuel Anyanwu -November 20, 2024 < <https://fmino.gov.ng/universal-childrens-day-2024-nigerias-efforts-to-advance-childrens-rights-and-end-violence-against-children/> >Accessed August 31st 2025.

²⁷² Nigeria. Save the Children. [https://Nigeria.savethechildren.net/files/library/changing the story of the Nigerian Girl Child.pdf](https://Nigeria.savethechildren.net/files/library/changing%20the%20story%20of%20the%20Nigerian%20Girl%20Child.pdf). Accessed Date: 12th Feb. 2021.

²⁷³ *ibid*

inadequate institutional capacity, weak political will, and inconsistencies between federal and state legal systems.

5.2 REGION BASED FINDINGS

The findings from the six states examined reveal that although the domestication of the Child's Rights Act has improved the legal foundation for child protection, enforcement across the states remains weak and inconsistent.

Akwa Ibom State Child Rights Law (2008) defines a child as below 16years, contrary to the CRA/CRC definition of below 18, requiring urgent amendment.²⁷⁴ Also, stronger collaboration between federal and state institutions is needed for effective implementation because child labour remains prevalent despite legal safeguards; limited media advocacy, poor institutional follow-up, and social acceptance of child labour weaken the CRL's impact. Implementation is hindered by low public awareness, persistent harmful cultural practices such as child-witchcraft accusations, and inadequate training for police and welfare officers. Hence, strengthening community sensitization, increasing budgetary allocation, and providing continuous training for enforcement agencies are therefore essential.

Enugu State enacted the Child Rights and Responsibility Law (CRRL) in 2016 and took steps such as establishing family courts, appointing welfare officers, and partnering with child protection agencies. Despite this, enforcement remains slow due to weak institutional capacity, low public understanding of the law, and limited logistics for apt response. Improving manpower in welfare departments, scaling up state-wide sensitization, and creating a coordinated data system for case reporting will significantly enhance enforcement.

²⁷⁴ Akwa ibom state, invictus Africa < <https://invictusafrica.org/wp-content/uploads/2024/12/AKWA-IBOM.pdf> > accessed 4th September 2025.

Oyo State domesticated the Child Rights Law, 2006. However, despite domestication, the enforcement of the law remains limited for several years due to absence of a specialized legal forum to handle child-related cases. To address this, the Oyo State Family Court was established. However Oyo State continues to struggle with socio-cultural acceptance of child street hawking and domestic servitude, alongside high numbers of out-of-school children and weak coordination among agencies. Expanding educational opportunities, imposing strict penalties on child labour practices, and strengthening inter-agency collaboration are critical recommendations.

Nasarawa State domesticated the CRA in 2005 becoming one of the earliest states in North Central region to adopt the legislation. It was not until 2023 that the state made a major stride toward operationalizing the law through the establishment and adoption of the family Court. cultural and religious resistance to the law, especially regarding child marriage, remains a major barrier. Enforcement is further weakened by limited trained personnel and the absence of adequate shelters. Advocacy through traditional and religious institutions, recruitment and training of more child protection workers, and establishing safe homes will promote better implementation.

Borno State signed into law the Borno State Child Protection Law in 2022. The State faces distinct challenges due to conflict-related vulnerabilities. Cultural practices such as the Almajiri system persist, while children with disabilities and displaced children remain inadequately protected. Weak monitoring systems and insufficient reintegration support further undermine enforcement. Enhancing inclusive education, improving psychosocial and reintegration services, and establishing strong monitoring and evaluation frameworks are Key steps forward.

Kano State child protection law was enacted in 2023. The State stands as one of the most significant states in Northern Nigeria in terms of child protection concerns due to its large population and high number of vulnerable children. The law is affected by a high number of out of school and Almajiri children. Cases of child trafficking and forced labour are also increasing, underscoring the need for better monitoring across local governments. Comprehensive public sensitization, Almajiri system reform, and strengthening anti-trafficking mechanisms are crucial recommendations.

Overall, the common challenges across these states include cultural resistance, low awareness, weak institutions, inadequate funding, poor coordination among agencies, and the absence of reliable data systems. Addressing these issues through sustained public education, stronger inter-agency collaboration, capacity building, adequate funding, and culturally sensitive advocacy will substantially strengthen child protection and promote effective realization of the rights guaranteed under the Child's Rights Act.

Despite the existence of the Child's Rights Act, children in many parts of Nigeria remain vulnerable due to inconsistent implementation and enforcement. This study set out to examine the challenges affecting the enforcement of the Child Rights Act (CRA) in Nigeria and to recommend practical measures for strengthening its implementation nationwide. I identified and examined the major socio-cultural, economic, legal, institutional, and awareness-related barriers hindering effective enforcement of the CRA. The Cultural and religious beliefs, especially in the northern part of Nigeria, continue to support harmful practices such as child marriage, making it difficult for the CRA to be fully accepted. To resolve this meaningful cultural change requires internal dialogue involving traditional and religious leaders, government officials, NGOs, women, girls, and family heads. Also Economic hardship pushes many families to depend on

their children for survival which sustains both child labour and early marriage. Without poverty alleviation, access to quality education, stronger enforcement mechanisms, CRA will continue to face challenges. More so, the legal and institutional weaknesses, such as inadequate training, poor coordination, low funding, and limited capacity of law enforcement agencies, all of which hinder effective implementation. In addition, the gap in public awareness, especially in rural communities, and the integration of the CRA into the school curriculum and conducting more sensitization campaigns could bridge this gap. In chapter four I carried out a comparative analysis of states with strong CRA implementation and those with weak enforcement. Southern states generally implement the CRA more effectively, especially in regulating child labour and promoting child protection structures. Northern states, on the other hand, still face significant challenges because many of them domesticated the CRA only recently and continue to struggle with cultural resistance, religious interpretations, lower levels of education, and weaker institutions. I also observed that child marriage is far more common in the north, while child labour exists across the country but more economically driven in the south. Furthermore, in the northern states, child marriage is supported by cultural norms, poverty, and certain religious interpretations, while in the southern states child labour remains the major challenge, mostly driven by economic hardship. Throughout the research, I also pointed out practical measures that can help achieve more uniform and effective CRA enforcement nationwide. These include promoting cultural dialogue, improving poverty alleviation programmes, strengthening legal and institutional frameworks, enhancing training for law enforcement officers and child protection workers, increasing public awareness, and integrating the CRA into the school curriculum.

5.3 RECOMMENDATIONS

Based on the findings discussed in this study and the region-specific issues identified in previous chapters, I make the following recommendations to strengthen the enforcement of the Child Rights Act across Nigeria:

1. Implement Economic Empowerment Schemes for Vulnerable Families

Since poverty was identified in Chapters three and four as a major driver of child labour and early marriage, the government should adopt economic empowerment programmes by partnering with private organizations. For empowered families are less likely to rely on the labour or early marriage of their children for survival.

2. Expand Public Awareness Programmes in Communities

The analysis from the research shows that many communities lack proper understanding of the CRA, which contributes to weak enforcement. Public awareness campaigns using local languages, community meetings, school sensitizations, and radio programmes can help improve knowledge of children's rights and reduce harmful practices.

3. Promote Collaboration Among Government Agencies, NGOs, and Traditional Institutions.

Enforcement of child rights cannot be done alone. In Chapter Two and Three, I highlighted the influential role of traditional and religious leaders in shaping community practices. Strengthening partnerships among state agencies, NGOs, community groups, and traditional institutions will improve monitoring, reporting, and acceptance of CRA provisions.

4. Sustain Awareness Campaigns in Schools, Communities, and the Media.

Public awareness gaps were identified as one of the major challenges. Continuous awareness campaigns through schools, town hall meetings, social media, radio, and television are essential to build a culture that respects and protects children's rights. Integrating CRA into school curricula would also help young people understand and defend their own rights.

5. Provide Adequate Funding to Family Courts and Welfare Offices

In Chapters Three and Four, institutional weaknesses emerged as a major barrier. Family courts and child welfare departments often lack personnel, facilities, and funding. Increased budgetary allocation will support effective case handling, timely interventions, and stronger child protection systems.

6. Strengthen Capacity Building for Judicial Officers, Law Enforcement Agencies, and Social Workers.

Poor training and inadequate understanding of the CRA were identified as obstacles to enforcement. Regular training programmes should be organized for judges, police officers, child protection officers, and social workers to ensure they understand the Act and can apply it effectively.

7. Strengthen Institutional Frameworks for Reporting, Monitoring, and Enforcement.

Under legal and institutional weakness in chapter three revealed that many cases of abuse and neglect go unreported due to weak systems. Establishing clear reporting mechanisms, child-reporting mechanisms, child-friendly help desks, functional monitoring teams, and responsive enforcement units will improve accountability and reduce violations.

8. Reform and Regulate the Almajiri System

The prevalence of child street begging and neglect in northern states, as identified in chapter is strongly linked to the Almajiri system. Government and community leaders should work together to reform and regulate this system by providing formal education, shelter, feeding, and supervision for children enrolled in it.

9. Promote Internal Cultural Dialogue to Address Harmful Practices

As discussed in chapter three, cultural and religious beliefs strongly influence community. Engaging traditional rulers, religious leaders, family heads, women, girls, and youth in constructive dialogue can help reinterpret harmful cultural practices and encourage acceptance of the CRA.

10. Expand Access to Quality Education for All Children

Education was identified as both a preventive measure against child labour and an important factor in reducing child marriage. Government should invest in accessible, affordable, and quality education especially for girls to empower families and strengthen child protection.

11. Strengthen Social Welfare Services Nationwide

Many States lack functional welfare systems. Social workers, counselors, rehabilitation centres, and family support services should be strengthened to provide timely responses to abuse, neglect, and exploitation cases.

12. Ensure Full Implementation Across All States

Some states have recently passed the CRA, while others still struggle with implementation. Government should ensure proper implementation, monitoring, and evaluation so that the law functions effectively across all regions.

5.4 CONTRIBUTION TO LEGAL PRACTICE

This Study makes a significant contribution to knowledge by offering a region based analysis of CRA enforcement challenges, demonstrating that the issues differ across Nigeria and that interventions must be tailored rather than uniform applied. By examining the socio-cultural, economic, and institutional realities of different regions, the study provides a clearer understanding of why enforcement varies and what strategies are most effective in each context.

5.5 CONCLUSION

In conclusion, the importance of child protection to national development cannot be overstated. Children represent the future of every nation, and their welfare is fundamental to the sustainable growth and stability of society. If we hope for a better tomorrow, we must give proper attention to the well-being, rights, and safety of children today. Without strong mechanisms for protecting children, there can be no truly progressive society. Therefore, the findings of this research call for renewed commitment, stronger policies, and sustained action to ensure that the Child Rights Act is not only domesticated but effectively implemented across all parts of Nigeria. Strengthening the protection of children is not just a legal obligation but a moral responsibility, and the future of the nation depends greatly on how well we uphold this duty.

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