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# THE LEGAL FRAMEWORK FOR PROTECTING THE RIGHTS OF THE GIRL CHILD IN NIGERIA: HOW EFFECTIVE?

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#### Cite this article:

Obagboye, T. G., James, S. T. (2024), The Legal Framework for the Protection of the Rights of the Girl-Child in Nigeria; How Effective?. African Journal of Law, Political Research and Administration 7(2), 82-100. DOI: 10.52589/AJLPRA-KXJ4FVT0

#### **Manuscript History**

Received: 12 Jul 2024 Accepted: 6 Sep 2024 Published: 13 Sep 2024

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**ABSTRACT:** The girl-child in Nigeria has globally recognized and acknowledged inalienable rights as a member of the human family. However, the rights of the girl-child in Nigeria continue to be violated despite the plethora of laws guaranteeing such rights in domestic and international instruments. This paper examines the legal framework for the protection of the girl child in Nigeria and contends that there are several social, cultural and economic factors that make the laws ineffective in the lives of the girl-child in Nigeria. The laws by themselves are not enough to protect the rights of girl children. There has to be adequate social and economic structures to guarantee the enjoyment of such rights. This work posits that several factors serve as impediments to the realization of the rights of the girl child. These impediments include, non adoption of the Child's Rights Act 2003 by some states, discriminatory cultural practices, child labour, among others. This work therefore underscores the need for legal reforms including nation-wide adoption of the Child Rights Act 2003, prohibition and punishment of discriminatory cultural practices against the girl child, equal educational opportunities for the girl child, among others to ensure a better realization of the rights of the girl child in Nigeria.

**KEYWORDS:** Legal, Framework, Protecting, Rights, Girl-child, Nigeria.

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#### INTRODUCTION

Nigeria is a signatory to many international and regional instruments, Protocols and Charters recognizing and pledging support for the application and enforcement of human rights which includes the rights of the girl-child in addition to the fundamental human rights provisions in its Constitution.

A curious mind may ask why a girl child, why not children generally? Why this fuss about the girl child? The answer is simple. The girl child's case is peculiarly different. It has physical, social and cultural dimensions. Physically, the girl child is vulnerable and prone to abuse and even from members of her family. In most cultures, the girl child is not allowed to pursue any ambition or career of her choice at all. She is only groomed for marriage only and prepared for a life of servitude with no right to complain or choose.<sup>1</sup>

Many girls around the world have suffered unimaginable forms of abuses from child-molestation, child-trafficking, child labour, rape, forced marriage, hawking, and exposure to indecent behaviour, risk and danger, torture, deprivation, abduction, female genital mutilation, gender bias and discrimination (male child preference), and sexual exploitation. Girls are clearly marginalized and relegated and at the root of it all is ignorance.<sup>2</sup>

The girl child is one of the critical areas of the 1995 Beijing Platform for Action. Girls' rights are codified within the U.N Convention on the Rights of the Child and include non-discrimination, protection from harm and abuse, and full participation in family, social and cultural life. Barriers to realizing these rights include practices such as female genital mutilation (FGM), sex-selective abortions, and child marriage, each of which is common in geographically selected areas.<sup>3</sup>

The girl-child in Nigeria has globally recognized and acknowledged inalienable rights as a member of the human family. It is trite however that these rights have been and are still being violated by different persons and organizations for different reasons although the nature, extent and frequency of violations differ from place to place. Various persons and groups in acknowledging the continued violations of the rights of the girl-child in Nigeria have called for the intervention of the government and international agencies to stem the ugly tide. Traditional practices, stereotyping, cultural and religious beliefs still put the girl-child at the risk of abuse and neglect. The root of all kinds of discrimination and bias against the girl-child lies in the customs, traditions and typical mind-set of the society which considers the girl-child and women as inferior beings. Despite the persistent calls by various groups for measures to ensure that the girl-child's rights are protected and not trifled with by government officials, individuals and even corporate entities the challenges facing the application of the girl child's rights in Nigeria remain very daunting.

<sup>&</sup>lt;sup>1</sup>Mohammed, H. 'Caring for and Empowering the Girl child' https://www.blueprint.ng/caring-and-empowering-the-girl-child/#: Accessed on October 26, 2022.

<sup>&</sup>lt;sup>2</sup> *Ibid*.

<sup>&</sup>lt;sup>3</sup> Haarr, R. N. 'The Rights of the Girl Child' https://opentextbc.ca/womenintheworld/chapter/chapter-12-rights-of-the-girl-child/ Accessed on October 26, 2022.

<sup>&</sup>lt;sup>4</sup> Alabi, T. & Ors, 'The Girl-Child: A Sociological View On The Problems of Girl-child Education in Nigeria' (2014)10, *European Scientific Journal*, 67.

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The United Nations recognized the benefits to humanity of the girl child and since 2012 declared 11<sup>th</sup> October every year as the International Day of the Girl Child. The observance of this day, advocates more opportunities for girls, increased awareness on gender inequality, right to education, nutrition, legal rights, medical care and all round protection for the Girl Child. The UN Secretary-General Antonio Guterres said this about the girl child: "We need to uphold the equal rights, voices and influence of girls in our families, communities and nations. Girls can be powerful agents of change, and nothing should keep them from participating fully in all areas of life."

In addition, the UN Millennium Development Goals target increasing equality between girls' and boys' educational attainment.<sup>5</sup>

### WHO IS A GIRL CHILD?

The girl child is the female child before adulthood; that is one below the age of 18. The girl child phase spans from infancy, childhood, pubescent to early adolescent age.

The girl child is a biological female offspring from birth to eighteen (18) years of age. This is the age before one becomes a young adult. This period covers the crèche, nursery or early childhood (0-5 years), primary (6-12 years) and secondary school (12-18 years).

During this period, the girl-child is impressionable, builds and develops her personality and character. She is very dependent on the significant others, those on whom she models her behavior, through observation, repetition and imitation. Her physical, mental, social, spiritual and emotional developments start and progress to get to the peak at the young adult stage.<sup>6</sup>

It is usually a delicate period in the life of the child for her personality as well as physical, mental and emotional development.

of the Federation of the University of WOMWNE of Africa held in Lagos -Nigeria on 16<sup>th</sup>-19th July, 2009.

<sup>&</sup>lt;sup>5</sup> Mohammed, H. op. cit. n 1.

<sup>&</sup>lt;sup>6</sup> Offorma, G. Girl-Child Education in Africa. Keynote Address presented at the Conference

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# THE LEGAL FRAMEWORK FOR PROTECTING THE RIGHTS OF THE GIRL CHILD IN NIGERIA

THE DOMESTIC LEGAL FRAMEWORK FOR PROTECTING THE RIGHTS OF THE GIRL CHILD IN NIGERIA

# THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 AS AMENDED

The Nigerian constitution<sup>7</sup> provides fundamental rights for every citizen of the county including the girl child. These rights include:

- i. Section 33 Right to life
- ii. Section 34 Right to dignity of human person
- iii. Section 35 Right to personal liberty
- iv. Section 36 Right to fair hearing
- v. Section 37 Right to private and family life.
- vi. Section 38 Right to freedom of thought, conscience and religion
- vii. Section 39 Right to freedom of expression and the press
- viii. Section 40 Right to peaceful assembly
- ix. Section 41 Right to freedom of movement
- x. Section 42 Right to freedom from discrimination
- xi. Section 43 Right to acquire immovable property anywhere in Nigeria.

The constitution is the grundnorm from which other laws and instruments get their legitimacy. In other words the constitution is supreme.<sup>8</sup> These fundamental human rights guaranteed by the Constitution for every person in the country form an essential part of the legal framework of the rights of the girl child in Nigeria.

# THE CHILD'S RIGHT ACT 2003

The Convention on the Rights of the Child (CRC) enunciated by the United Nations in 1989 was the minimum standard set for all member nations of the Organization to undertake in matters dealing with the protection and promotion of the rights of children globally. Nigeria, being an active member of the United Nations, welcomed the domestication of the Convention with a lot of interest and enthusiasm, with lively and heated debates in the parliaments which culminated in the enactment of the Child's Rights Act in July 2003. Since the passage of the Bill by the National Assembly, 24 states and the Federal Capital Territory out of the 36 states

<sup>&</sup>lt;sup>7</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended).

<sup>&</sup>lt;sup>8</sup> *Ibid*. S 3.

<sup>&</sup>lt;sup>9</sup> Child Rights Act, Laws of the Federation of Nigeria 2003.

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in Nigeria have enacted parallel state legislation since it is a Residual legislative matter. <sup>10</sup> Prior to the 2003 Child Rights Act, Nigerian child protection was defined by the Children and Young People's Act (CYPA). <sup>11</sup> It should be noted that statutorily, the welfare of children was first recognized in 1943 when the Children and Young Persons Ordinance was passed. This later became chapter 31 of the laws of Nigeria as revised in 1948 and was retained as Chapter 32 of the Laws of the Federation of Nigeria and Lagos as revised in 1958. The Ordinance which later became an Act was made applicable to Lagos in 1946 and was extended to Eastern and Western Regions of Nigeria by Order-in Council No 22 of 1946, while it was enacted for Northern Nigeria in 1958. Nigeria signed the International Human Rights Convention on the Rights of Children. It was officially passed into law in 2003 by Former President Chief Olusegun Obasanjo as the Children's Rights Act 2003 (CRA) to domesticate the International Convention on the Rights of the Child. Many of the issues canvassed in the Convention on the Rights of Child (CRC) and the African Charter on the Rights and Welfare of Child (ACRWC) were covered by the Child Rights Act 2003 (CRA).

The structure of the Act was informed by the mandate to provide a legislation, which incorporates all the rights and responsibilities of children, and which consolidates all laws relating to children in a single legislation. The 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, among other things. Section 1 of the CRA 2003 states that the best interest of a child is to be of paramount consideration in all actions. This is the guiding principle in every action involving a child.

Section 3 of the CRA 2003 guarantees to children the fundamental rights as provided for in cap IV of the Nigerian constitution 1999 (as amended). These rights have been enumerated above. These rights are in addition to other rights set out by the CRA 2003. This gives a broad spectrum of rights guaranteed to children in Nigeria. How effective the implementation of the rights is another issue.

The other rights provided for by the CRA 2003<sup>13</sup> include: Right to Survival and Development, Right to Name, Freedom of Association and Peaceful Assembly, Freedom of Thought, Conscience and Religion, Right to Private and Family life, Right to Freedom of Movement, Right to Freedom from Discrimination, Right to Dignity of the Child, Right to Leisure, Recreation and Cultural Activities, Right to Health and Health Services, Right to Parental Care, Protection and Maintenance, Right of a Child to Free, Compulsory and Universal Primary Education, Right of a Child in need of Special Protection Measure, Right of the Unborn Child to Protection against Harm, and Contractual Rights of a Child. Part 3 of the CRA 2003 provides for the protection of the rights of a child as follows: prohibition of child marriage, prohibition of child betrothal, prohibition of tattoos and skin marks, prohibition of exposure to use, production and trafficking of narcotic drugs, prohibition of use of children in other criminal activities, abduction, removal and transfer from lawful custody, prohibition of forced or

<sup>&</sup>lt;sup>10</sup> Ajeh, P. U. 'The Implementation of the Child Rights Act in Nigeria: Challenges and Prospects. Women and Development in Nigeria; Perspectives from Nigeria' (2015) *Nasarawa State University, Faculty of Social Sciences, Journal* 2, 80-95.

 $<sup>^{11}</sup>$ Onibokun, A 'Legal Rights of the Nigerian Child' 20legal% 20rights% 20of% 20the% 20nigerian% 20blawg. Html Accessed May 16, 2020.

<sup>&</sup>lt;sup>12</sup> Tajudeen, O.I. 'Legal Framework for the Protection of Child Rights in Nigeria' (2015) 3 AGORA International Journal of Juridical Sciences, 46-52.

<sup>&</sup>lt;sup>13</sup> Part II, Ss 4-18 CRA 2003.

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exploitative labour, prohibition of buying, selling, hiring or otherwise dealing in children for the purpose of hawking or begging for alms or prostitution, domestic or sexual labour or for any unlawful or immoral purpose or slavery, prohibition of unlawful sexual intercourse with a child, rape, or other forms of sexual abuse and exploitation, and Prohibition of Recruitment into the Armed Forces. From the foregoing, the rights of children guaranteed by the CRA 2003 are elaborate and broad.

All the rights provided for the child in the Child's Rights Act apply to the girl child in Nigeria.

# VIOLENCE AGAINST PERSONS PROHIBITION ACT (VAPPA) 2015

Violence Against Persons (Prohibition) Act (VAPPA) 2015<sup>14</sup> was passed into law in May, 2015. The Act was a result of agitations for protection of persons against the different forms of violence. Violence, both at the home front and the larger society, is fast becoming a trend in present day Nigeria. The VAPPA 2015 is an improvement on the Penal and Criminal codes in relation to violence; it also makes provision for compensation to victims as well as the protection of their rights. The Act provides protection for all persons including women.

The Act was passed into law in a bid to eliminate violence in private and public life; prohibit all forms of violence, including physical, sexual, psychological, domestic, harmful traditional practices; discrimination against persons and to provide maximum protection and effective remedies for victims and punishment of offenders. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) is named as the service provider. The Agency is mandated to administer the Provisions of this Act and collaborate with the relevant stakeholders including faith based organizations.

Under the VAPPA 2015, rape<sup>17</sup>, spousal battery, forceful ejection from home, forced financial dependence or economic abuse, harmful widowhood practices, female circumcision or genital mutilation, abandonment of children, harmful traditional practices, harmful substance attacks such as acid baths, political violence, forced isolation and separation from family and friends, depriving persons of their liberty, incest, indecent exposure and violence by state actors (especially government security forces) among others are punishable offences.

The Violence against Persons Prohibition Act (VAPPPA) 2015<sup>18</sup> prohibits the circumcision or genital mutilation of the girl child. The act prescribes the punishment as follows:

A person who performs female circumcision or genital mutilation or engages another to carry out such circumcision or mutilation commits an offence and is liable on conviction to a term of imprisonment not exceeding 4 years or to a fine not exceeding N200,000.00 or both.<sup>19</sup>

The VAPPA also prohibits harmful traditional practices and provides punishment for the offense. The Act<sup>20</sup> states that any person who carries out harmful traditional practices on

<sup>&</sup>lt;sup>14</sup>Comments on The Violence Against Persons (Prohibition) Act, 2015 https://lawpavilion.com/blog/the-Violence against persons-prohibition- *Act-2015*. Accessed on 28/09/2017.

<sup>&</sup>lt;sup>15</sup>Long title, VAPPA 2015.

<sup>&</sup>lt;sup>16</sup> VAPPA 2015 S 44.

<sup>&</sup>lt;sup>17</sup>*Ibid*. Part 1.

<sup>&</sup>lt;sup>18</sup> Section 6 (1) VAPPA 2015

<sup>&</sup>lt;sup>19</sup> Section 6(2) VAPPA 2015

<sup>&</sup>lt;sup>20</sup> Section 20 (1)VAPPA 2015

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another person commits an offense and is liable on conviction to a term of imprisonment not exceeding 4 years or to a fine not exceeding N500,000.00 or both.

In addition, a person who attempts to carry out harmful traditional practices commits an offense and is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding N300,000.00 or both.<sup>21</sup>

The Act defines harmful traditional practices to mean all traditional behaviour, attitudes or practices, which negatively affect the fundamental rights of women, girls or any person and includes harmful widowhood practices, denial of inheritance or succession rights, female genital mutilation or female circumcision, forced marriage and forced isolation from family and friends.

# INTERNATIONAL LEGAL FRAMEWORK ON THE RIGHTS OF THE GIRL CHILD

# **Beijing Declaration and Platform for Action**

Twenty-five years ago, in Beijing, China, the world made a promise: equal rights and opportunities for all women and girls, everywhere.

It was the Fourth World Conference on Women in 1995; more than 30,000 activists and representatives of 189 countries gathered to debate what it would take to make a gender-equal world. Together, they created the Beijing Declaration and Platform for Action, the most comprehensive agenda to date, on gender equality and women's empowerment.<sup>22</sup>

It tackled global issues that are still pressing today and examined how they impact women and girls. Issues such as, poverty, environment, violence against women, girls' education, equal participation of women in the labor market, especially in highly skilled jobs, STEM industries, and in senior management. It also committed to promote the balance of paid work and domestic responsibilities for women and men, and so much more.

The Beijing Platform for Action was a turning point in the world's understanding of women's and girls' rights and ushered in a new mindset that realizing the full potential of women and girls is a powerful and essential component of successful, sustainable development.

Since 1995, the Beijing Platform for Action has served as a blueprint for advancing global gender equality. The Beijing Platform for Action was the first global policy document on women that included a specific focus on the girl child. Although the Convention on the Rights of the Child, which entered into force in September 1990, enshrined the rights of children, the Beijing Platform for Action spoke to girls and girls' rights, specifically.

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Five big wins ushered in by the landmark Beijing Platform for Action United Nations Women https://reliefweb.int/report/world/five-big-wins-ushered-landmark-beijing-platform-action Accessed on October 26, 2022.

<sup>&</sup>lt;sup>21</sup> Section 20 (2) VAPPA 2015

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With the specific chapter in the Beijing Platform for Action on the girl-child,<sup>23</sup> Governments highlighted the importance of addressing discrimination against women at the earliest stages of their lives. The Platform for Action set out nine strategic objectives as follows;

- (a) Eliminate of all forms of discrimination against the girl-child,
- (b) Eliminate negative cultural attitudes and practices against girls,
- (c) Promote and protect the rights of the girl-child and increase awareness of her needs and potential,
- (d) Eliminate discrimination against girls in education, skills development and training,
- (e) Eliminate discrimination against girls in health and nutrition,
- (f) Eliminate the economic exploitation of child labour and protect young girls at work,
- (g) Eradicate violence against the girl-child,
- (h) Promote the girl-child's awareness of and participation in social, economic and political life, and
- (i) Strengthen the role of the family in improving the status of the girl-child.

The 1995 Beijing Conference was the first of the United Nations World Conferences on Women to include a specific focus on the girl-child.

3.2.2 The Convention on the Elimination of all forms of Discrimination against Women (CEDAW)

CEDAW is a landmark Convention and the most important normative instrument that aims to achieve equal rights for women everywhere in the world. The Nigerian government became a State Party to this important Convention when it ratified it in 1985 without reservations, signed the Optional Protocol in 2000 and ratified it in 2004. CEDAW is an international standard-setting document that establishes the universality of the principles of equality between men and women and makes provision for measures to be taken by States Parties to ensure equality of rights for women throughout the world.<sup>24</sup>

The CEDAW establishes international machinery for the implementation of its provisions along the lines of those established for the implementation of the International Convention on Civil and Political Rights. An 18 member Committee empowered to settle disputes between States parties concerning observance of the Convention and to receive and examine information from them on measures taken to achieve its goals. The Convention's underlying philosophy is that discrimination against women is incompatible with human dignity and

The United Nations Fourth World Conference on Women https://www.un.org/womenwatch/daw/beijing/platform/girl.htm Accessed on October 26, 2022.

<sup>&</sup>lt;sup>24</sup>O Nwankwo, Briefing on the Domestication of the Convention on the Elimination of all forms of Discrimination against Women" Obtained from <a href="http://www.aacoalition.org/domistic\_cedaw.htm">http://www.aacoalition.org/domistic\_cedaw.htm</a> (Last accessed on 2/09/2019).

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constitutes an obstacle to the full realization of the potentialities of women. Therefore, the rights of women to share equally in improved conditions of life must be promoted and protected.

According to the Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.<sup>25</sup>

The Convention on the Elimination of All Forms of Discrimination against Women sets out obligations of States parties to ensure the practical realization of the principle of equality of men and women. The treaty bodies monitoring implementation of these Conventions address the situation of the girl-child in their constructive dialogue with States parties, concluding comments, and general recommendations/comments.<sup>26</sup>

The Commission on the Status of Women continues to address the situation of the girl child in its work. At its forty-second session in 1998, the Commission considered the issue of the girl-child with emphasis on adolescent girls as a priority theme, and adopted agreed conclusions that proposed actions and initiatives to promote and protect the human rights of the girl-child; provide education and empowerment; improve the health needs of girls; protect girls in armed conflict, and prevent trafficking and exploitative labor conditions.<sup>27</sup> At its fifty-first session in 2007, the Commission focused on the elimination of all forms of discrimination and violence against the girl-child and adopted agreed conclusions.<sup>28</sup> At least three of the Millennium Development Goals (MDGs) require a focus on the girl child. Achieving universal primary education (MDG2) requires attention to the constraints facing girls, who are the majority of children remaining out of school. The promotion of gender equality and women's empowerment (MDG 3) requires attention to the discriminatory practices that begin in childhood and constrain the choices and potential of girls. Combating HIV/AIDS (MDG6) requires attention to the particular vulnerabilities of girls, who outnumber boys among those living with HIV/AIDS.

In 2005 the United Nations General Assembly<sup>29</sup> adopted a resolution on the girl-child in which Member States expressed deep concern about: "discrimination against the girl-child and the violation of the rights of the girl-child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, rape, incest, early marriage, forced marriage, prenatal sex selection and female genital mutilation." The resolution reiterates the

<sup>26</sup> United Nations (2006). The elimination of all forms of discrimination and violence against the girl-child." Report of the Secretary-General. E/CN.6/2007/2, para. 12.

<sup>&</sup>lt;sup>25</sup> CEDAW Art. 1.

<sup>&</sup>lt;sup>27</sup> United Nations (2006). The elimination of all forms of discrimination and violence against the girl-child." Report of the Secretary-General. E/CN.6/2007/2, para. 11.

<sup>&</sup>lt;sup>28</sup> CSW agreed conclusions, Session 51 (2007), para. 14.6: www.un.org/womenwatch/daw/csw/51sess.htm (accessed 3 July 2007).

<sup>&</sup>lt;sup>29</sup> United Nations General Assembly Resolution A/RES/60/141. www.un.org/Depts/dhl/resguide/r60.htm.

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commitments to undertake legal reforms to ensure the rights of girls, to provide for equal access to basic social services (such as education, nutrition, vaccination, and health care, including sexual and reproductive health care), to enact and enforce legislation against all forms of violence and exploitation and to protect girls affected by armed conflict.

# IMPEDIMENTS TO THE ENJOYMENT OF THE RIGHTS OF THE GIRL CHILD IN NIGERIA

NON-ADOPTION OF THE CHILD'S RIGHT ACT 2003 BY SOME STATES IN NIGERIA

The Child Rights Act as passed by the National Assembly enjoins the different State Legislative houses to enact same as State laws as such matters fall within the residual list in the 1999 Nigerian Constitution.

However, it is discovered that some States especially in the northern part of the country have still not adopted the Child Rights Act 2003 as State laws which means that the copious provisions of the Act aimed at protecting the welfare, interests and rights of the child are not applied in such States. An explanation given over the non-application of provisions of the Child Rights Act in some states is that it is incompatible with the tenets of Islamic religion which permits child marriages, that is marriages to a girl-child under 18 years and clearly excluded by the Act. 30 Before the enactment of the Child Rights Act 2003, several other domestic and international legislation were in place to ensure the protection of the girl-child rights such as the Children and Young Person's Act which protected the Nigerian child especially with regard to juvenile justice. It appears however that: ...there exists no provision of national force that truly protects children against abusive conditions; and that in many States, child protection activities in Nigeria are still the purview of Non-Governmental Organizations. Implementation has been challenging as Nigerian States and Local governments represent a diverse range of ethnic groups and customs.<sup>31</sup>

#### DISCRIMINATORY CULTURAL PRACTICES

The girl child often faces discrimination from the early stages of life through childhood to adulthood. (Beijing, 2000; United Nations, 1995). 32 There are a lot of gender stereotypes in everyday life and even in materials used in schools. Culturally, boys are favored and better prized than a girl-child. Gender discrimination begins even before birth with the desire of the typical parent for sons rather than daughters.<sup>33</sup>

Many discriminatory practices against the girl-child thrive under our local and customary laws. Early child marriages, female genital mutilations and girl-child disinheritance are still

<sup>32</sup> (MDG 2015, p. 25)

<sup>&</sup>lt;sup>30</sup> Umar A, "An X-ray of the Conflicts between the Child Rights Act 2003 and Islamic Law on Child Marriage and Legitimacy" (2012) Vol.3 Human Rights Review; An international Human Rights Journal 70-76, in which examining the provisions of the Child Rights Act 2003, he argues that they were in conflict with Sharia law and so cannot be adopted as law in the northern part of the country. The existing conflicts between the provisions of the Child Rights Act and Islamic law, according to him, especially regarding child marriages, were against the spirit and practice of Islam and thus, makes "the realization of the rights of the Nigerian child more difficult.

<sup>&</sup>lt;sup>31</sup> Cited from www.law.yale.edu/rcw/rcw/jurisdictions/afw/ and accessed on April 4, 2016.

<sup>&</sup>lt;sup>33</sup> Agusiobo, B. C. 'Education of the girl-child in Nigeria for a Just, Peaceful, Harmonious Society and Sustainable Development, (2018) 5 (4) International Online Journal of Education and Teaching (IOJET), 768-786.

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subsisting practices under customary law. No federal law has been specifically enacted to criminalize these acts. Section 42 of the Nigerian Constitution is not successfully implemented in Nigeria.<sup>34</sup> Despite the laws in practice, the girl-child and in some areas the boy-child; children born out of wedlock, disabled children, children of outcasts, children from the minority and children from other States often experience discrimination. In fact female genital mutilations are still practiced in Nigeria despite the provisions of the law protecting the girl-child from degrading treatment.<sup>35</sup> Child marriage and female genital mutilation/cutting would be discussed in detail in the foregoing section.

#### **CHILD MARRIAGE**

Despite the many international conventions and human rights instruments, early marriage remains common in many parts of the world. Global estimates are that 36 per cent of women aged 20-24 had been married before they reached 18 years of age. Sub-Saharan Africa and South Asia have the highest incidence of early marriage, with particularly high rates of marriage below the age of 18 in Niger (77 per cent), Mali (65 per cent), Bangladesh (65 per cent), and Nepal (56 per cent).

Child marriage is a fundamental violation of human rights. Current studies revealed that Nigeria has one of the highest rates of child marriage and pregnancy in the world. The victims of this inhuman practice are girls. Although this issue could affect boys as well, yet it has disproportionate negative impact on the girl-child. In Nigeria, the practice of child marriage is mostly found in the northern part of the country. The percentage of married teenagers in the northern region is much higher compared to the South.

UNICEF has pointed out the various ways in which early marriage is harmful to girls:

"Child marriage is a violation of human rights whether it happens to a girl or a boy, but it represents perhaps the most prevalent form of sexual abuse and exploitation of girls. The harmful consequences include separation from family and friends, lack of freedom to interact with peers and participate in community activities, and decreased opportunities for education. Child marriage can also result in bonded labour or enslavement, commercial sexual exploitation and violence against the victims. Because they cannot abstain from sex or insist on condom use, child brides are often exposed to such serious health risks as premature pregnancy, sexually transmitted infections and, increasingly, HIV/AIDS." 37

In Nigeria, child marriage is driven by weak legal sanctions against child-marriage, cultural beliefs and traditional practices, religious beliefs, socio-economic challenges (poverty), lack of education and empowerment of the girl-child, ignorance of the rights of the girl-child,

<sup>&</sup>lt;sup>34</sup> Alemika E E, Chukwuma, I & Ors, 'Rights of the Child in Nigeria' cited in The Report on the Implementation of the Convention on the Rights of the Child by Nigeria. A Report for the Committee on the Rights of the Child, 38th Session- Geneva, January 2005.

<sup>&</sup>lt;sup>35</sup> See S 34(1) Constitution of the Federal Republic of Nigeria, 1999 which provides that "no person shall be subjected to torture or inhuman or degrading treatment.

<sup>&</sup>lt;sup>36</sup> UNICEF (2006). State of the World's Children 2006: Excluded and Invisible, p. 130-131. www.unicef.org/sowc06/pdfs/sowc06 fullreport.pdf Accessed July 3 2007.

<sup>&</sup>lt;sup>37</sup> UNICEF (2006). Child Protection Information Sheet, Child Marriage. www.unicef.org/protection/files/Child\_Marriage.pdf Accessed July 3, 2007.

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psychological, mental and health implications of child marriage on the girl-child, and ignorance of the rights of the girl child. Child marriage has many effects on girl's health such as increased risk for sexually transmitted diseases (STD), cervical cancer, death during childbirth, and obstetric fistulas.

Considering only one of these risks, premature pregnancy, it is estimated that 14 million girls aged 15-19 give birth every year. Girls in this age group are twice as likely to die during pregnancy or childbirth as women in their twenties.<sup>38</sup> Child marriage is a gross violation of the rights of the girl-child as provided for in the Child's Right Act 2003 and the 1999 Nigerian Constitution.

#### FEMALE GENITAL MUTILATION/CUTTING

Female Genital Mutilation (FGM) is defined by the World Health Organization (WHO) as all procedures which involve partial or total removal of the external female genitalia and/or injury to the female genital organs, whether for cultural or any other non-therapeutic reasons.<sup>39</sup> The World Health Organization identified four types of FGM currently practised world wide. These include excision or reduction of the prepuce with or without excision of part or all of the clitorisof clitoris (clitoridectomy). The second type is the excision of the clitoris and the prepuce. Type II or "sunna" is a more severe practice that involves the removal of the clitoris along with partial or total excision of the labia minora. The third type seen as the most severe form is the excision of part or all of the external genitalia and stitching or narrowing of the vaginal opening (infibulations) which is called Pharaonic or Sudanese circumcision. The fourth type is termed unclassified; it includes clitoral pricking, piercing or incision, stretching, cauterization, scraping and others that fall under FGM definition. An estimated 100-140 million girls and women worldwide are currently living with the consequences of FGM.<sup>40</sup>

In Nigeria, the subjection of girls and women to obscure and harmful traditional practices is well known. Nigeria, due to her large population, has the highest absolute number of female genital mutilation (FGM) worldwide, accounting for about one-quarter of the estimated 115-130 million circumcised women in the world.<sup>41</sup>

In Nigeria, of the six largest ethnic groups, the Yoruba, Hausa, Fulani, Igbo, Ijaw, and Kanuri, only the Fulani do not practise any form of FGM and in areas where it is practised, it is carried out at a very young age (minors) and there is no possibility of the individual's consent. There is the unfounded traditional belief that female genital mutilation is practised to forestall promiscuity in adult life. In other words, it is a way to curb infidelity and help the woman reduce the urge for sex. The practice is declining in modern times because of the improvement in education and social status of Nigerian women as well as increased awareness of the

<sup>39</sup> World Health Organisation (1997), "Female Genital Mutilation", A Joint WHO/UNICEF/UNFPA Statement, Geneva: World Health Organisation.

<sup>&</sup>lt;sup>38</sup> *Ibid*.

<sup>&</sup>lt;sup>40</sup> World Health Organisation (2000), "Female Genital Mutilation", Fact Sheet, No.241. Available at http://www.who.int/mediacentre/factsheets Accessed Accessed July 3, 2007.

<sup>41</sup> *Bid.* 

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complications of FGM; most women who underwent FGM disapprove of the practice and only very few are prepared to subject their daughters to such harmful procedures.

FGM is recognized worldwide as a fundamental violation of the human rights of girls and women. It reflects deep-rooted inequality between the sexes and constitutes an extreme form of discrimination against women. It involves violation of rights of the girl-child: violation of the right to health, security, and physical integrity, the right to be free from torture and cruel, inhuman, or degrading treatment, and the right to life when the procedure results in death. Furthermore, girls usually undergo the practice without their informed consent, depriving them of the opportunity to make independent decisions about their bodies. With its harmful effect on the girl-child which include infections as a result of unsterilized tools used by the local health attendants and uncontrollable bleeding that sometimes lead to death.<sup>42</sup>

About 40% of 60million Nigeria's female population have undergone one form of female genital mutilation or the other. FGM is widely practiced among the three major tribes in Nigeria: Hausa, Ibo and Yoruba. It is a form of violence against girls and women that has serious physical and psycho-social consequences which adversely affect health and is also a reflection of discrimination against girls and women. However, a recent FGM scoping study noted that Nigeria has the world's third highest FGM/Cutting prevalence. It estimated that 25 percent or 19.9 million Nigerian girls and women, 15 to 49 years old underwent FGM/C between 2004 and 2015. FGM is a cultural/traditional phenomenon and involves cutting or cutting off, or physically tampering with the most sensitive part of the female sexual organ known as the clitoris. FGM causes serious harms due to severe bleeding, extreme pains, urinary infections, urine and vagina leakages, chronic pelvic inflammatory diseases, neurogenic shock, as a result of the agony and trauma, HIV and overwhelming infections. Death may result at any time as a result of any or all of these.

In the longer term, the girls or women may suffer feelings of incompleteness, anxiety, and depression. FGM is a violation of the right to life and dignity. In all actions concerning children, the best interests of the child to be of paramount consideration in all actions It is protection from all forms of physical or mental violence, injury or abuse, right to health to be protected from harmful traditional practices. All these harms are attempts to confer an inferior status on the girl-child and young women by branding them with marks which diminishes them and reminds them that they are inferior to men.

<sup>&</sup>lt;sup>42</sup> Osondu, O. A. 'Nigerian Girl-Child and Human Rights; Addressing the Cultural Limitations' Assessed on December 3, 2022.

<sup>&</sup>lt;sup>43</sup> (WHO, 1998, pp. 11, 17)

<sup>&</sup>lt;sup>44</sup> Agusiobo, B. C. Education of the girl-child in Nigeria for a just, peaceful, harmonious society and sustainable development. (2018) 5(4) *International Online Journal of Education and Teaching* (IOJET), 768-786.

<sup>&</sup>lt;sup>45</sup>Mberu, B. Female genital mutilation/cutting in Nigeria: A Scoping Review. Evidence to End FGM/C: Research to Help Women Thrive. New York: Population Council. Retrieved from http://www.popcouncil.org/uploads/pdfs/2017RH\_FGMC Nigeria ScopingReview.pdf. Accessed on July 10,2022.

<sup>&</sup>lt;sup>46</sup> (UNICEF, 2005)

<sup>&</sup>lt;sup>47</sup> (CRA, 2003; Articles: 3.4, 11)

<sup>&</sup>lt;sup>48</sup> (Article 1)

<sup>&</sup>lt;sup>49</sup> (CRA 2003, Art.11a,)(Articles 13 and 24)

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#### **CHILD LABOUR**

Millions of children around the world are trapped in child labour, depriving them of their childhood, their health and education, and condemning them to a life of poverty and want. Recent global estimates based on data of UNICEF, the International Labour Organization, ILO, and the World Bank, WB, indicate that 168 million children aged 5-7 are engaged in child labour. Some 120 million among them are below the age of 14, while a further 30 million children in this age group-mostly girls-perform unpaid household chores within their own families. In addition, millions of children suffer in the other worst forms of child labour, including slavery and slavery-like practices such as forced marriage and practices such as forced and bonded labour and child soldiering, sexual exploitation, in illicit activities, including drug trafficking.<sup>50</sup>

Globally, according to The United Nations International Children Education Fund,<sup>51</sup> about 180 million children involved in undignified labor in informal sectors of the economy such as market, construction sites, beer parlors, motor parks, and many are on the street hawking and looking for survival. The figure given globally by the International Labour Organization (ILO)<sup>52</sup> was about 168 million. Nigeria has 15,027,612 working children: this comprises 7,812,756 males; and 7,214,856 females. Out of this figure, over 6 million children: 3,110,033 girls, and 2,992,373 boys are not attending school; 987,155 had dropped out of school. The United Nations International Children Education Fund looked at child labor as an interruption in the developmental process of the child.

Apart from child labour generally, domestic labour has become a 'silent killer' of the child's future. This is so because many children today are exposed to different abusive acts in Nigeria. There are an estimated 15 million working children in Nigeria, most of them in the informal or semi-formal sectors. Economic necessity drives much of this with children often forced into long hours and dangerous situations that are not developmentally appropriate. In particular, children on the streets are more exposed to accidents, violence, sexual exploitation, and trafficking and HIV infection. Domestic workers, almost all of them girls, work long hours, are denied their educational rights and often their freedom of speech and are very vulnerable to physical and sexual violence, as they are invisible to the larger community and wholly dependent on a single family. In fact, girls are more likely than boys to be involved in child labour, and they work longer hours and receive less pay – when they are paid at all.<sup>54</sup>

Child labour and exploitation are still practiced in many parts of the country despite the provisions of the Convention on the Rights of the Child which enjoins Member States "to protect children from economic exploitation and from performing any work that is likely to be

<sup>&</sup>lt;sup>50</sup> (United Nations Children's Fund, UNICEF, 2015).

<sup>&</sup>lt;sup>51</sup> UNICEF, State of the World'

s Report 2005.

<sup>&</sup>lt;sup>52</sup> ILO, 2015. Child abuse. International Labour Organization. Available from < http://www.ilo.org/global/topics/child-labour/lang-- en/index.htm.> Accessed on 14/03/2021.

<sup>&</sup>lt;sup>53</sup> Oriji, C.C. and Nworgu, K. G. 'ChIld Domestic Labour: A Correlate to Girl-Child Battering and Rape in Rivers State' (2019) Vol.9 No.1 *Nigeria International Journal of Social Sciences and Humanities Reviews* 251 – 258,

<sup>&</sup>lt;sup>54</sup> Folami, O.M. et. al, 'Child Labour And Protection: An Exploration Of Vulnerable Children In Lagos State, Nigeria' (2018) *Humanities and Social Sciences Letters*, [2018] 171-179.

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hazardous or to interfere with the child's education or to the child's health or physical, mental, spiritual, moral or social development."55

The girl-child by the provisions of the various domestic, regional and international instruments and laws has an acknowledged "right to rest and leisure; right to basic education, and right to be protected from neglect or negligent treatment, maltreatment or exploitation..."<sup>56</sup> It is however very sad that the exposure of the girl-child to all forms of domestic servitude in the houses of relations and non-relations alike where she is exposed to exploitative child labour such as hawking wares for long hours on busy roads dogging vehicles and other road users alike cannot guarantee the girl-child's right to rest and leisure. According to Adeyemi, "child labour and child abuses are still rampant with the presence of street children and children beggars... and the right to education appears to be replaced by exploitative child labour."<sup>57</sup>

# INEQUALITY IN EDUCATION OF THE GIRL CHILD

Education is a fundamental human right; however, in Nigeria 10.5 million children of school age are out of school the highest number in the world followed by Pakistan; 60 percent of the children out of school are girls, and most of them live in the north of the country. Almost 1 out of every 3 primary age children is out of school, and roughly 1 out of 4 junior secondary age children is out of school.<sup>58</sup> This situation is quite worrisome.

Since it is believed that the right place for women is in the kitchen, some parents and others have considered it not necessary to provide equal educational opportunities to women with their male counterparts. In fact, as far as some parents are concerned, any amount of money they spend on their daughter's education is regarded as a waste. This is because it is believed that they would eventually end up in the kitchen or in somebody's house, while on the other hand, any amount of money spent on a boy's education is regarded as a useful investment because it is believed that a boy propagates the family name. This indeed has made many families reluctant to send their girls to school.<sup>59</sup>

The magnitude of gender gaps as well as their causes is more pronounced in the Northern states than in the southern states according to studies. A British Council report on Gender in Nigeria revealed that in eight Northern States, over 80% of women are unable to read (compared with 54% for men). In Jigawa State, 94% of women (42% of men) are illiterate. Nigerian girls who enroll in school leave school earlier than their male counterparts. More than two-thirds of 15–

<sup>&</sup>lt;sup>55</sup>Joseph-Obi, C. 'Oil, Gender & Agricultural Child Labour in the Niger Delta Region of Nigeria: Implications for Sustainable Development' (2011) Vol.9, No.2African Journals Online (AJOL) available at www.readperiodicals.com/201112/2522112461.html Accessed on April 4, 2016.

<sup>&</sup>lt;sup>56</sup> See variously UDHR 1948 Art. 4; Child Rights Act 2003, S.12; ICCPR 1966, Art. 8; CRC 1990, Art.11

<sup>&</sup>lt;sup>57</sup> Adeyemi, A.A. 'Children In Especially Difficult Circumstances in the Context of the United Nations and OAU Charter on the Rights of the Child, (1997)1 NJPL 16.

<sup>&</sup>lt;sup>58</sup> (UNICEF, 2014).

<sup>&</sup>lt;sup>59</sup> Collins, E. N. 'Socio-Economic Development and the Girl-Child Education: A Look at Jos North Local Government' (2014) Vol. 8 (1) *Plateau State African Research Review*, 134-155

<sup>&</sup>lt;sup>60</sup> Awe, B., & Adedeji, P. 'Girls and women education in Nigeria. A Bibliography for the Seminar on Girls Education in Nigeria, Primary and Early Secondary' In Patrick, O. (2010). Gender and teacher Education in Nigeria. *Journal of Research in Education and Society*, 1, 172.

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19 age brackets, girls in Northern Nigeria are unable to read a sentence compared to less than 10% in the South. Only 3% of females complete secondary school in the Northern zones. <sup>61</sup>

The factors responsible for dropping out of school include socio-cultural, economic and socio-economic, school-based, governance as well as some bottlenecks. The economic factors include child labor, hawking, begging, trafficking, and prostitution, which cause girls to drop out of school. Poverty is a major issue. With 71 percent of the Nigerian population living on less than a dollar (\$1.00) a day, girls are often withdrawn from school to work in various places, as domestic servants in households to make money and augment family income while boys are sent to school; to hawk wares or beg for money in markets/streets. Some parents cannot meet up with school needs like school uniforms, textbooks, school levies, writing materials, transportation, and feeding costs. "Child labor and child trafficking have caused a wide gender gap and poor achievements in schools, disrupting school enrolment. School attendance, scholastic achievement and exacerbate dropping out from school.<sup>62</sup> Enrolment is not the only issue; retention remains a major challenge. Many of the girls that do attend school, drop out before reaching primary school.<sup>63</sup> There are some out of school children called `Almajirais`. This is common in the northern part of Nigeria and is more of a socio-economic factor.

There are well-documented arguments about the benefits of education for girls for both girls themselves but also for their families and society. Nonetheless, a significant gender gap in school enrolment persists, particularly at the higher levels of education. Efforts are still needed to increase enrollment and to address continuing issues related to school drop-out and completion rates of girls. Gender-based barriers to facing girls include domestic responsibilities, such as household chores and care for siblings. Early pregnancy also affects school attendance and completion in some countries, particularly where girls are not able to continue schooling or resume after childbirth. Sexual abuse and violence in schools also place limits on girls' education.<sup>64</sup> Another major challenge is to strengthen the capacity of teachers and develop curricula to demonstrate and encourage respect for girls and for equal rights of women and men. Emergency situations (floods, oil pipeline/ fire outbursts, disease outbreaks such as yellow fever, cholera/measles, food insecurity, refugees,); conflict/violent situations such as communal wars, kidnapping, killings, farmers and herdsmen clashes, and insurgency, have had negative influences on children and girls and sometimes have stopped them from attending school. In April 2014, about 276 Chibok school girls were abducted by Boko Haram insurgents from their school, Government Secondary School Chibok in Borno North East of Nigeria. Schooling has been disrupted and a lot of infrastructure has been destroyed.<sup>65</sup>

<sup>&</sup>lt;sup>61</sup> British Council, 2012.

 $<sup>^{62}</sup>Ibid.$ 

<sup>&</sup>lt;sup>63</sup> (UNICEF, 2007)

<sup>&</sup>lt;sup>64</sup> United Nations (2005). Review of the Implementation of the Beijing Platform for Action and the outcome documents of the special session of the General Assembly entitled "Women 2000:gender equality, development and peace for the twenty-first century." Report of the Secretary-General. E/CN.6/2005/2, para. 144-5.
<sup>65</sup> (MDG 2015, p. 25).

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#### Poverty and Economic Hardship

Girls are considered inferior to boys and this is reflected and reproduced by countless social and economic practices and norms throughout the life cycle. Girls are usually kept at home and made responsible for additional domestic, agricultural, or informal labor for the benefit of the household while the sons are sent to school to gain an education and prepare to take up professions. This situation violates the legal instruments.<sup>66</sup> The economic activities open to girls and women are thus removed or reduced, and this can help force them to low skilled, low paying jobs in the informal sector or in street trades. Their lower social status means that they are less well protected from economic predators and are more vulnerable to bonded labor. In contexts of poverty, many girls are lured into commercialized sex or `survival sex` and have relations with older men. Many others become prey to sexual exploitation through trafficking for sexual purposes, pornography prostitution, including child prostitution or as domestic house helps they are sexually abused by the man in the house. All these constitute grave abuse of right<sup>67</sup>

#### Sexual Abuse of the Girl-Child.

Childhood sexual abuse is a global public health problem with greater preponderance among the female than the male. Sexual abuse of the girl-child is a form of sexual violence that involves girls under the age of 18 years.<sup>68</sup> There is a widespread outrage in Nigeria in recent times over the unabated wave of sexual violence against the girl-child. The growing incidents of rape and other forms of sexual violence have sparked off public outrage and street protests. According to a survey, <sup>69</sup> it was found that up to one in every three girls living in Nigeria could have experienced at least one form of sexual assault by the time they reach the age of 25. Similarly, according to the Sokoto State Hisbah, 606 cases of rape reported in 22 local governments of the state in 2019. The Nigerian Police Force recently announced, on a national television, that 717 cases of rape were reported to the Force between January and May, 2020. In spite of the treasures, beauty, potentials and great abilities naturally deposited in the girlchild, it is disheartening, saddening and regrettable to observe that some members of the Nigerian society are still blind to the high level innate ability of female children, and thus disparage them. Some of these elements in the society appear not to see anything better in the girl-child other than her sexual organs. They see the girl child as a ready-made 'meat' for consumption. In other words, her consent is not necessary before any sexual activity, just like the consent of a roast piece of meat is not necessary before consumption. This fallacious and malicious belief has been engraved in the mentality of some Nigerian men who have become sexual predators. The existence of the girl-child has come under very disturbing threat and danger in the society, thanks to these perpetrators of sexual violence. The social media is replete with reports of incidents of sexual violence and assault against females in Nigeria. 70

<sup>&</sup>lt;sup>66</sup> (CRA, 2003; Art.10 Freedom from discrimination and the Nigerian Constitution, 1999)

<sup>&</sup>lt;sup>67</sup> Agusiobo, B. C. op.cit n.44.

<sup>&</sup>lt;sup>68</sup> Ezugwu EC, Ohayi SR, Iyoke AC, Nnaji HC. Characteristics of Perpetrators of Rape of the Girl Child in a Low Resource Setting in Enugu South East Nigeria, Nigeria. (2017) 7 *Ann Med Health Sci Res.* 180-184.

<sup>&</sup>lt;sup>69</sup> Ngozi Okonjo-Iweala Polling Service (NOI Polls) July,2019.

<sup>&</sup>lt;sup>70</sup> Ekwukoma, V. 'The Nigerian Girl-Child and the Burden of Sexual Violence', Nigerian Educational and Development Research Council, Abuja <a href="https://www.academia.edu/50561762/THE NIGERIAN GIRL CHILD AND THE BURDEN OF SEXUAL VIOLENCE">https://www.academia.edu/50561762/THE NIGERIAN GIRL CHILD AND THE BURDEN OF SEXUAL VIOLENCE Assessed on December 7, 2022.</a>

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Child Sexual Abuse (CSA) includes a variety of sexual offenses, including: sexual assault, rape, sexual exploitation and sexual grooming. The World Health Organization (1999) defined child sexual abuse as the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society.<sup>71</sup>

To be able to give a valid consent, the individual must have attained the age of consent. The age of consent varies from country to country. An individual who has not reached the age of consent is legally incapable of consenting to sexual intercourse. In Nigeria, the age of consent is 18 years and every one below the age of 18 years is considered a child.

The prevalence of child rape in Nigeria may even be higher than what is reported due to under reporting. Either the Child is afraid to tell anyone when sexually abused or in order to avoid stigmatization, the family may wish to keep it secret especially when the perpetrator is a family member. Also despite the severe penalty of life imprisonment for rape in Nigeria, perpetrator are hardly prosecuted and these may discourage victims from reporting.<sup>72</sup>

Rape and other forms of sexual abuse of the girl child is a grave violation of the rights of the girl-child. Sexual abuse has been associated with negative impact on the psychological, sexual and reproductive well-being of girl-child. It has been associated with a life time risk of post-traumatic stress disorder, substance abuse, depression, specific phobia, and other medical conditions. Survivors of sexual abuse display dysfunctional behavioral pattern and suicidal ideation later in life. Rape of the girl child also exposes the innocent child to the risk of sexual transmitted infection (STI) including HIV. The adolescent ones who have attained puberty are equally at risk of unwanted pregnancy and unsafe abortion. 4

# **CONCLUSION**

It is clear from the foregoing that the girl-child in Nigeria has several rights guaranteed by the laws. However, many factors serve as impediments to the full realization of the rights. There is a need for a conducive social and economic climate for the rights of the girl-child to be fully realized. The government, parents and guardians need to work together to remove the obstacle to the enjoyment of the rights of the girl-child in Nigeria and ensure that the girl-child is free from all forms of discrimination and abuse of her rights. The following section would highlight recommendations on how to achieve this.

<sup>&</sup>lt;sup>71</sup> World Health Organization (1999).

<sup>&</sup>lt;sup>72</sup> Ikechebelu, J.I. et. al. 'Sexual Abuse among Juvenile Female Street Hawkers in Anambra State, Nigeria' (2008) 12 Afr J Reprod Health, 111–119.

<sup>&</sup>lt;sup>73</sup> Keeshin, B.R. et al 'Hospitalized Youth and Child Abuse: ASsystematic Examination of Psychiatric Morbidity and Clinical Severity' (2014) 38 *Child Abus Negl.* 76–83.

<sup>&</sup>lt;sup>74</sup> Onyejekwe, C. J. Nigeria: 'The Dominance of Rape' (2008) 10 Journal of International Women's Studies, 48–63.

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#### RECOMMENDATIONS

# **Legal Reforms**

There should be effective implementation of existing laws that protect the rights of the girl-child and establishment of more encompassing laws to protect the rights of girls in Nigeria. For instance, there should be a nation-wide adoption of the Child Rights Act 2003 which guarantees several important rights for the girl child. Presently, 31 states in Nigeria have enacted the equivalent of the Child Rights Act while the five states that are yet to domesticate the law are Adamawa, Bauchi, Gombe, Kano and Zamfara. This situation should be remedied. In addition, offenders and violators of the rights of the girl-child should be properly prosecuted and punished.

# **Prohibition and Punishment of Discriminatory Cultural Practices**

All discriminatory cultural practices against the girl-child should be prohibited and punished. Parents should be enlightened on the dangers of these acts. Perpetrators of such acts should be identified and punished. This would serve as a deterrence to others.

# **Equal Educational Opportunities for the Girl-Child**

Education has a lot of relevance to an individual's economic growth and development. Equal educational opportunities should be provided for male and female children alike. This is in line with the sustainable development goals. This would go a long way in reducing girl-child illiteracy. Girls who are educated have better opportunities in life. They are able to make informed decisions about their lives and have a better standing in society.

#### **Improved Socio- Economic Conditions**

Poverty reduction and eradication programs should be put in place to reduce the economic hardship on the girl child. The problem of widespread poverty and economic hardship is said to be the major cause of the abuse of the rights of the girl child in Nigeria. Efforts should also be made to reduce the state of unemployment prevalent in the society. Basic social amenities and social welfare services like portable water, electricity, education, health care, security of lives and property, a viable and buoyant economy, should be a priority to the government. When all these are in place, they create a suitable environment for the enjoyment of the rights of the girl-child.

# Awareness Campaigns on the Value and Rights of the Girl-Child

The Government, NGO's, all stakeholders and concerned individuals should carry out massive enlightenment campaigns on the value and rights of the girl-child. They should effect a change in the negative cultural mindset and perception about the girl-child and the female gender in Nigeria. Television and radio, social media, and other creative means of passing out the message can be engaged in this campaign. It is imperative for awareness to be created on the value of the girl-child and her human rights. Parents and guardians should be enlightened on the rights of the girl child as guaranteed by the laws in Nigeria. The punishment for violation of the rights should also be stated.