

NIGER

MINIMAL ADVANCEMENT

In 2023, Niger made minimal advancement in efforts to eliminate the worst forms of child labor. The government reopened a limited number of schools that were previously closed due to security issues. However, despite this effort, the government's minimum age for work law does not meet international standards because it does not apply to children in the informal sector. The government made limited efforts to address the ongoing practice of *wahaya*, a form of child slavery that was upheld as illegal by a Nigerien court in 2019. It is also unknown whether labor and criminal law enforcement agencies in Niger took actions to address child labor in 2023.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children's Work and Education

Children	Age	Percent of Population
Working	5 to 14	42.9% (2,516,191)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	7 to 14	48.0%
Combining Work and School	7 to 14	22.1%

Children in Niger are subjected to the worst forms of child labor, including in hereditary slavery and mining, each sometimes as a result of human trafficking. Children also perform dangerous tasks herding livestock.

Overview of Children's Work by Sector and Activity



Agriculture

Working in farming, including herding, and caring for livestock. Also working in fishing, including river net casting.



Industry

Engaging in quarrying[†] and mining[†] for trona, salt, gypsum, and gold. Working in construction,[†] tanneries,[†] slaughterhouses,[†] and metal working.[†]



Services

Domestic work and street work, including street vending and begging.[†] Garbage scavenging.



Categorical Worst Forms of Child Labor[‡]

Commercial sexual exploitation, sometimes as a result of human trafficking. Hereditary and caste-based slavery, including for cattle herding, agricultural work, domestic work, and sexual exploitation. Forced labor in domestic work, begging, and mining. Use in illicit activities, including trafficking drugs. Recruitment of children by non-state armed groups for use in armed conflict.

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

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



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Niger's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ensure that the law's minimum age for work provisions and protections apply to self-employed children and those in unpaid or non-contractual work.

Establish a compulsory education age equal to the minimum age for work of 14 years.

Enforcement

Ensure that inspections and enforcement efforts take place in the informal sector, and in remote locations, where most child labor occurs.

Publish complete information and data on the government's enforcement of child labor laws, including the number of worksite inspections conducted, violations found, and penalties imposed and collected.

Increase resources, including funding and training available to enforcement agencies, increase the number of labor inspectors from 61 to 246 to ensure adequate coverage of a labor force of approximately 9.8 million workers, and increase the number of criminal investigators to provide adequate inspection coverage.

Publish complete information on the number of criminal investigations, prosecutions, and convictions related to the worst forms of child labor.

Adequately enforce the Nigerien Supreme Court's ruling banning the practice of *wahaya*.

Ensure that survivors of slavery are returned to their families, and have access to reintegration services, as appropriate, including educational opportunities and counseling.

Coordination

Ensure the National Steering Committee to Combat Child Labor and Forced Labor is active and able to carry out its intended mandates.

Government Policies

Adopt and implement a national action plan to address child labor, including in mining and agriculture, as well as stemming from the unlawful practice of hereditary slavery.

Publish information about efforts to implement the National Action Plan to Combat Trafficking in Persons and the National Social Protection Strategy on an annual basis.

Social Programs

Enhance efforts to eliminate barriers and make education accessible for all children, including girls, refugees, internally displaced children, and children in rural communities, by increasing school infrastructure, increasing the number of teachers, removing school fees, and providing more school supplies.

Ensure that all children are able to obtain birth certificates, including refugees, to increase their access to education and reduce their vulnerability to child labor.

Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, mining, and caste-based servitude.

Implement a program to target and assist children exploited by religious instructors.

Ensure that government social service providers have sufficient resources and facilities to provide the necessary care to all children withdrawn from forced labor and publish information on these activities.



CHILDREN AT HIGHER RISK

Children in Niger, especially boys and girls from the Arab, Djerma, Peulh, Tuareg, and Toubou ethnic minorities, continue to be exploited in slavery and endure slavery-like practices, particularly in the regions of Tahoua and Agadez. Some children are born into slavery while others are born free but remain in a dependent status and are forced to work with their parents for their former masters in exchange for food, money, and lodging. A particular form of slavery in Niger is the *wahaya* practice, in which men buy girls born into slavery, often between ages 9 and 14, as “fifth wives” for exploitation in forced labor. Even though Niger’s Supreme Court set a legal precedent by ruling *wahaya* to be illegal in 2019, the government has made limited efforts to inform the public of the court’s ruling. Child slavery victims, including those exploited in *wahaya*, are forced to work long hours as cattle herders, agricultural workers, or domestic workers, and are often sexually exploited. As with those involved in hereditary slavery, the children of *wahaya* wives are considered enslaved, and are passed from one owner to another as gifts or as part of dowries.



BARRIERS TO EDUCATION ACCESS

Although the Constitution guarantees free education, children require identity documents, including birth certificates, to attend school. Children who lack documentation and refugee children who are not formally registered with the government are denied access to education. School fees are also regularly required, making education prohibitively expensive. A lack of school infrastructure and school materials, and the limited availability of teachers, especially in rural areas, impedes access to education, which may increase the vulnerability of children to child labor. Furthermore, schools do not have the resources to educate children with disabilities, placing them at higher risk of dropping out and making them more vulnerable to the worst forms of child labor.



LEGAL FRAMEWORK FOR CHILD LABOR

Niger has ratified all key international conventions concerning child labor. However, Niger's laws do not meet international standards on minimum age for work because the current law does not apply to workers in the informal sector, including children.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 14 Years		Article 106 of the Labor Code
Minimum Age for Hazardous Work, 18 Years		Article 159 of Decree No. 2017-682
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 159–161 and 164–171 of Decree No. 2017-682; Article 181 of the Penal Code
Prohibition of Slavery, Debt Bondage, and Forced Labor		Article 14 of the Constitution; Articles 4 and 107 of the Labor Code; Article 158 of Decree No. 2017-682; Article 270 of the Penal Code; Articles 2 and 10 of the Law on Combating Trafficking in Persons
Prohibition of Child Trafficking		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Articles 2 and 10 of the Law on Combating Trafficking in Persons
Prohibition of Commercial Sexual Exploitation of Children		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Articles 291 and 292 of the Penal Code; Articles 2 and 10 of the Law on Combating Trafficking in Persons
Prohibition of Using Children in Illicit Activities		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Article 181 of the Penal Code; Articles 10 and 16 of the Law on Combating Trafficking in Persons

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Voluntary State Military Recruitment, 18 Years		Article 107 of the Labor Code
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	
Prohibition of Military Recruitment by Non-state Armed Groups		Article 107 of the Labor Code
Compulsory Education Age		Article 8 of Decree No. 2017-935; Article 2 of the Law on the Orientation of the Educational System
Free Public Education		Article 23 of the Constitution; Article 8 of Decree No. 2017-935; Article 2 of the Law on the Orientation of the Educational System

* Country has no conscription

Although the Labor Code establishes age 14 as the minimum age for work, it does not apply to workers in the informal sector, which does not conform to international standards requiring all children to be protected under the law. In addition, Article 2 of the Law on the Orientation of the Educational System in Niger guarantees education for all children ages 4 to 18, and Article 8 of Decree No. 2017-935 states that the government is required to promote access to compulsory education, particularly for young girls. However, Niger’s law does not clearly articulate to which age groups the latter provision applies, thereby leaving some children at risk of not being covered and increasing the risk of children’s involvement in child labor.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, it is unknown whether labor and criminal law enforcement agencies in Niger took actions to address child labor. Enforcement agencies also lack financial and human resources to carry out their duties.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Employment, Labor and Social Security (MELSS): Enforces labor laws and investigates Labor Code infractions, including those related to child and forced labor. Conducts awareness-raising programs to address child labor.

Morals and Minors Brigade: Investigates criminal cases involving minors, including issues pertaining to human trafficking, commercial sexual exploitation, and hereditary slavery. Functions within the National Civil Police Force, which is housed under the Ministry of Interior and Public Security.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Unknown
Routinely Conducted Worksite Inspections	Unknown	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, **61** labor inspectors conducted an **unknown** number of worksite inspections, finding an **unknown** number of child labor violations. It is also **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Niger established a mechanism to coordinate its efforts to address child labor. However, it is unclear whether that coordinating mechanism carried out any activities during the reporting period.</p>	<p>National Steering Committee to Combat Child and Forced Labor: Led by MELSS, includes 17 Nigerien ministries and agencies tasked with finalizing the next phase of Niger’s National Action Plan to Combat Child Labor. Also intends to develop a new hazardous work list. Research was unable to determine whether the National Steering Committee to Combat Child and Forced Labor was active during the reporting period.</p>
<p>Key Policies Related to Child Labor</p> <p>Niger established policies related to child labor. However, gaps exist that hinder efforts to address child labor, including a lack of policies covering all worst forms of child labor in the country.</p> <p><i>‡ The government had other policies that may have addressed child labor issues or had an impact on child labor.</i></p>	<p>National Action Plan to Combat Trafficking in Persons (2019–2023): Included goals to enhance the legal framework to prevent human trafficking, enforce the law, and provide effective protection and care for victims, including children. Led by the National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport. While the National Action Plan continued to be implemented during the reporting period, research was unable to determine what activities were undertaken to implement the National Action Plan to Combat Trafficking in Persons.</p> <p>National Social Protection Strategy: Aims to improve the quality of, and access to, basic education and health services; includes strategies to address child labor. Overseen by the Ministry for the Promotion of Women and Child Protection. Research was unable to determine whether activities were undertaken to implement the National Social Protection Strategy during the reporting period.</p>
<p>Key Social Programs to Address Child Labor</p> <p>Niger funded and participated in a program that includes the goal of eliminating or preventing child labor. However, this social program is inadequate because it fails to address the problem in all sectors, including agriculture, herding, mining, and caste-based servitude.</p> <p><i>‡ Program is funded by the Government of Niger.</i></p>	<p>Centers for the Prevention, Protection, and Promotion of Persons:† Government program replacing the Judicial and Preventive Education Services, in collaboration with UNICEF, to provide food, shelter, education, and vocational training to street children, many of whom are survivors of child labor. Research was unable to determine whether activities were undertaken to implement the Centers for the Prevention, Protection, and Promotion of Persons Program during the reporting period.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects
 For references, please visit dol.gov/ChildLaborReports