**EVALUATING CHILD’S RIGHTS IN NIGERIA: IMPLICATION ON RIGHTS’ ATTAINMENT AND EDUCATION ACHIEVEMENT**

**Abstract**

*Many documents including domestic and international agreements on minors’ matters, with reference to general and child-specific, have informed both public and private that children are entitled to specific treatment generally and that in any critical situation, they are to be legally given assistance in the receipt of care and protection. This paper therefore focused on the rights every single child should have and/or possess as applicable in the global world. Six (6) higher institutions offering Early Childhood Care and Education were randomly selected with two hundred and ten (210) lecturers, adult caregivers and social workers in south-western Nigeria. Descriptive research design of* ***ex-post facto*** *type was adopted. By using legal documents, a 30-items self-developed questionnaire, tagged Child Rights Convention Scale (CRC Scale), was used to collect data. Using test and restest method, 0.72 obtained as reliability coefficient. Pearson’s Product Moment Correlation was used to analyse data. Findings revealed that child’s rights are yet to be properly implemented and attained in Nigeria, based on non-robust reports of independent monitoring committees on Child’s Rights Act (2003) in Nigeria. Therefore, some recommendations were given on how to remove many obstacles to child’s rights including right to child education in Nigeria.*

***K*eywords:** Child, Child rights acts, Common rights children do not have. The field of children rights.

*Introduction*

**Background to the Study**

The reality of sound development and progress of a nation does not and will never be measured from the amount of skyscrapers and castles being possessed but by the quality, refined human beings that a country could produce. As a matter of fact, some of the effective ingredients to measure what qualify the word ‘refined’ human beings could be successfully determined by such factors as education, training, skills, and social opportunities that a country can afford the citizenly especially the children. However, when the children are deprived of some effective ingredients of enabling environment such as parents and governments’ responsibilities, the ultimate is that the social, political and economic growth that are expected to be achieved in future will not; instead a situation of gap-creation in the management and leadership will be the lot. No wonder the aphorism, “tap children from cradle in order to become useful citizens”. The opposite of this short phrase is in consonant with what could be termed child rights issues, which is the manifestation of children without parental care, poor mainstreaming of children, poor managing children of incarcerated parents, exploiting children sexually, problem of universal birth registration, domestic violence against children, children conscripted into armed conflict, child’s trafficking, and other related issues.

It is on this basis that many international organisations such as the United Nations (UNs) and its agencies like United Nations Children Education Fund (UNICEF, 2001), and United Nations Educational Scientific and Cultural Organisation (UNESCO, 2016), have come out with many treaties, covenants and conventions with the sole aim of the elimination of any child’s issue, and also for the promotion of child’s rights in any country. The UNs has actually defined the general fields of the child’s rights issues, and child’s rights’ promotion as contained in the areas that are mostly spanned law, politics, religion and morality. For instance in the area of child civilians in armed conflict, Moor (1997) in Burtch (2006), explains that there is a mass of human rights law, both treaty and “soft law”, of general and child-specific, which recognises the distract status and particular requirement of children, that any nation in war is expected to strictly adhere to.

**Who is a Child?**

The Child-Wikipedia (2018), discusses the biological definition of a child as a human being between the stages of birth and puberty. The Wikipedia further refers to legal definition of a child generally in terms of a *minor,* meaning a person younger than the age of *majority*. Also a child is a young individual who is under the legal age of majority, or who is the natural offspring of another (Duhaime, 2018). The age consideration for a child depends on the various constitutions of different countries; for instance, the law in Nigeria states that an adult is 18 years; hence, anybody below the age of 18 is regarded as a child in Nigeria. In Nigeria, population under age 18 is 110,236,3977 (UNICEF Data, 2023). Also, the United Nations, Department of Economic and Social Affairs, Population Division (2024) confirmed the above population of children in Nigeria. This is also applicable in some states in the United States of America, where the 18 years-baseline is taken as the end stage of a person to be regarded as a child; however, some states in the US regard different ages such as 14, 15 or 16 to be the end of age limit of a child. The United Nations Convention on the rights of the child defines child as a human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier (UNICEF Data (2023)). In India, a child’s definition is a constant debate because different districts/regions in India are yet to agree on a defined year on ‘who is a child?’. However, there is a consensus in India, which considers a child to be any person below the age of 14 (NCPCR, 2024).

**The Child’s Rights**

It should be noted that child’s rights are the human rights of a child with reference to the child’s best interest when it comes to the matter of decisions and actions affecting such a child. Also child’s rights involve certain principle such as non-discrimination in the area of race, colour, sex, language, religion, political, birth and other related status. Further, such rights encompass survival and development of a child’s healthcare, education, and social services (Parker, 2023).

It should also be known that a child is expected to be afforded civil and political rights such as right to life, right to identity, freedom of expression, freedom of thought, conscience and religion.

Based on the child’s rights, the United Convention on Rights of a Child (UNCRC) listed the most important children’s rights that every child has the right to as follows: Relax and play (Article 31), Freedom of expression (Article 13), Be safe from violence (Article 19), An education (Article 28), Protection of identity (Article 8), Sufficient standard of living (Article 27), Know their rights (Article 42), Health and health services (Article 24).

The UNESCO (2016), listed about twenty-five (25) rights that children are entitled to in any country as non-discrimination; protection of rights; parental guidance; survival and development registration, name and nationality; separation and/or non-separation from parents; respect for the views of the child; freedom of expression; privacy; access to information and mass media; state assistance; protection from all forms of violence; children deprived of family; adoption; children with disabilities; health and health services; social security; adequate standard of living; education; goals of education; leisure, play and culture; sexual exploitation, abduction, sale and trafficking; detention and punishment; rehabilitation of child victims.

However, the British and Irish Network of Ombudsmen and Children’s Commissioners (BINOCC, 2010) in Reliefweb (2010), opined that irrespective of the fact that there are some basic rights as noted of the 25 points given above that the child is entitled to, there are as well some rights that children are not strictly entitled to, such as, children are not allowed to vote, hold property, consent to medical treatment, sue or be sued, or enter into certain contract especially those that do not bear relevance to essential contract except a parent or legal guardian acts on his or her behalf. However, Reliefweb (2010), advocated that some of these areas which are not strictly child’s rights should, such as to hold property and enter into essential contract, be properly considered in order to promote child’s rights’ attainment.

**The Child’s Right Acts**

Rights of a child are noted as things that every child should have or able to do. Children’s rights are the human rights of children with particular attention to the rights of special protection and care afforded to minor. The 1989 convention on the rights of the child (CRC, 1989), defines a child as “any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier”. Interpretations of children’s rights range from autonomous action to the enforcement of children are being physically, mentally and emotionally free from abuse. Some of the children’s general rights are right to life; right to security of person; freedom from torture, cruel, human degrading, and treatment or punishment. Many treaties such as the 1989 convention on the child’s rights and the child’s rights Act, 2003 of Nigeria prescribed that parents have the statutory duty to meet the child’s basic needs; also that the state party, is duty-bound to protect legally rights of children; meaning, every child is entitled to the same treatment at the hands of authority regardless of race, gender, disability, or religion.

**Issues and Challenges of Implementation of Child’s Rights’ in Nigeria**

Despite the various efforts in promoting the child’s rights, there are still many challenges bedevilling the improvement and progress of children in Nigeria as noted in children’s trafficking; non-implementation of many child’s, conventions, acts, laws, and treaties such as the 1989 conventional child’s rights; and 2003 Nigerian Child Act; plight of orphans and vulnerable children; lack of data on children; lack of right of direct participation and inclusion of children on the issues affecting them; poor coordination of the implementation of the convention on child’s rights Act (Child’s Convention, 1989; UNICEF 2001; Child’s Act, 2003; Burtch, 2006; Reliefweb, 2010; Ayoola, 2016; UNESCO, 2016).

Solving these hydra-headed challenges, various organs in Nigeria are working towards putting in place many enabling structures towards implementation of the child’s rights. For instance, the immigration service in Nigeria created an anti-human trafficking department. Also, the Nigeria Police Force had also created a unit dealing with internal and external trafficking. Notwithstanding, these efforts have not properly addressed many issues facing children daily in Nigeria.

In Nigeria at present, the sole challenge facing the child’s right in Nigeria seems to be the non-implementation of the many treaties such as the 1989 convention on child’s rights and 2003 Nigerian Child’s Act. For example, the 1989 convention addresses the plight of orphans and vulnerable children in Nigeria; however, most states in Nigeria having domesticated the convention are yet to support the domesticated Act in terms of action and other resources including human plan.

**Fig. 1: The Domestication of the Child’s Right Act (2003) in Nigeria as at 2025**

|  |  |  |
| --- | --- | --- |
| S/N | STATES | YEAR PASSED |
|  | **North-West** |  |
| 1 | Kaduna | 2018 |
| 2 | Katsina | 2021 |
| 3 | Kebbi | 2021 |
| 4 | Sokoto | 2021 |
| 5 | Jigawa | 2021 |
| 6 | Kano | 2023 |
| 7 | Zamfara | 2022 |
|  | **North-East** |  |
| 8 | Taraba | 2005 |
| 9 | Borno | 2021 |
| 10 | Yobe | 2021 |
| 11 | Gombe | 2021 |
| 12 | Adamawa | - |
| 13 | Bauchi | 2023 |
| 14 | F.C.T. Abuja | 2003 |
|  | **North-Central** |  |
| 15 | Nasarawa | 2005 |
| 16 | Plateau | 2005 |
| 17 | Kwara | 2005 |
| 18 | Kogi | 2007 |
| 19 | Benue | 2008 |
| 20 | Niger | 2010 |
|  | **South-West** |  |
| 21 | Ekiti | 2006 |
| 22 | Ogun | 2006 |
| 23 | Oyo | 2006 |
| 24 | Lagos | 2007 |
| 25 | Ondo | 2007 |
| 26 | Osun | 2007 |
|  | **South-East** |  |
| 27 | Imo | 2004 |
| 28 | Anambra | 2004 |
| 29 | Abia | 2006 |
| 30 | Ebonyi | 2010 |
| 31 | Enugu | 2016 |
|  | **South-South** |  |
| 32 | Edo | 2007 |
| 33 | Delta | 2008 |
| 34 | Akwa Ibom | 2008 |
| 35 | Cross River | 2009 |
| 36 | Rivers | 2009 |
| 37 | Bayelsa | 2016 |

**Source:** **Temidayo Taiwo-Sidiq (2023). Rule of law and empowerment. Downloaded from** [**https://ymonitor.org**](https://ymonitor.org)**. Except Adamawa state, all states in Nigeria had domesticated the CRA, yet, no expected resources including human and funds towards proper implementations such as enforcement of the CRA.**

Another child’s rights issue is the lack of data on children in Nigeria. For instance, Ms Iyan Josephine Anenih, former Minister of Women Affairs and Social Development in Nigeria, in the era of President Buhari, was of the opinion that the lack of reliable data on the status of children would not, especially on the assessment and analysis on orphans and vulnerable children, afford the Ministry of Women Affairs and Social Development to implement the convention on child’s rights Act. According to the former minister, assuming there were dependable and reliable data on children in all states in Nigeria such data generation would have assisted in some essential areas of baseline studies towards the child’s development such as in the areas of child health and feeding programmes (Ayoola, 2016), child registration, child protection indicators, child with disabilities, (NPE, 2014) and so forth.

Further, poor direct participation and inclusion by children in the issues affecting Nigerian children is another challenge. To address this, the Child Parliament was launched in Nigeria in 2003 (Reliefweb, 2010) in order to give children the right of participation and inclusion; yet, materials and facilities to encourage the functioning of the parliament were not put in place. Compounding the problem, the parliament at the state level at the initial stage could not be in operative because of the lack of domestication of the child’s right convention (CRC) as a result of many obstacles posed by religious, ethnic, and cultural diversities and so forth at various states in Nigeria. Generally at the federal level non-ratification of the optimal protocols and non domestication of the CRC in all states in Nigeria, could be seen as a critical challenge on the implementation of the 1989 CRC in Nigeria.

As if to worsen the situation, Kamel Fihali, Committee expert serving as rapporteur of the UNs in 2010 on human rights, reported on the situation of Nigeria on the implementation of the convention on child’s rights Act (Reliefweb, 2010). In his report, it was noted that there were 157 million inhabitants in Nigeria, out of which over 40 per cent, that is over 62,500,000 inhabitants, were children under the age of 15. According to the rapporteur, Nigeria had signed the two optional protocols to the CRC; however, Nigeria as a state party failed to ratify the optional protocols which would have improved the application of the CRC to become an act in Nigeria at the initial stage. Therefore, non-ratification of the CRC act as quickly expected created many gaps on the child development. For instance, Sharia law is practised in Nigeria. This makes it difficult for many of the states of the Northern Nigeria to domesticate and introduce the rights of the child act of 1989 convention and that of 2003 into their legislations, since it seems that the view of the generality of the inhabitants of the northern Nigeria is that there will be difficulty in finding areas of agreement between the sharia law and the 1989 CRC act. However, on the 25th of September, 2012, Nigeria as a member-state signed the second optional protocols to the CRC, this has invariably led the almost all states (except Adamawa) to have ratified the CRA (2003) in Nigeria (see Fig. 1).

Further, the problem of coordination and choice of the implementation of the CRC, where the Act is already in practice in Nigeria, is an issue that is believed threatening the child’s rights in Nigeria. For example, the coordination between federal, state and local governments on the rights of the child can be difficult, since the funding would not regularly come from the central government especially for the purpose of enforcing the Act at the state and local government levels.

Further, discrimination and gender inequality is another issue seems threatening child’s rights in Nigeria. This could be mostly seen in the area of harmful practices against women and girls such as female genital mutilation, child marriage, ethnic and religious violence (UNICEF, 2023). Further, many reports (such as Reliefweb, 2010; ILO, 2018; Cable, 2023; Parker and Crabtree, 2023) reveal that apart from child trafficking and discrimination, other issues such as death penalty, Sharia law, and ill treatment of the children especially in the police custody are still rampant in Nigeria today. Irrespective of the advocacy of the United Nations (ILO, article 12 (2006); Committee Report of 26 May, 2010 of reliefweb) against death penalty, some countries including Nigeria are yet to abolish the death penalty for young people under 18. Further, birth registration in form of improper or non-registration at birth could lead to the future misleading year of age, which is culminated in taking wrong decision by some acts, such as Sharia law, which prescribed the death penalty for a number of crimes for minors. This had revealed that Sharia law defined a child by using different standards including a child less than 18 years.

**Statement of the Problem**

Many documents have been issued at domestic and international levels, such as the Child’s Rights Act (CRA) in Nigeria, the UNs’ Convention on the Rights of the Child (CRC) in order to prevent many child’s issues such as challenges facing self-worth, dignity and health in the area of mental, emotional and physical health development, encumbrances of race, age, sexual orientation and socio-economic status of the child. Also many advocacy and child-specific documents on the child’s development have been properly put in place and worked upon for the protection and care of the child. However, records of child’s activities at the public domain in Nigeria could still reveal that the situation with the child’s rights attainment, in terms of the extent of the degree of basic rights that an average child possesses is at low ebb. In Nigeria, to solve child’s rights’ issues, it is seemed difficult because of little or no adequate and effective systematic application of the conventions on the child’s rights, or training of the child’s social workers, child psychologist, judges on juvenile matters, human rights practitioners, human rights education and so forth that are expected to enlighten and educate the general public on the rights of the child. Therefore, does it mean that there are challenges of implementation and advocacy of child’s rights in Nigeria? It is in view of this that the study was set to correlate the child’s rights’ attainment and the supposed enabling environments such as the implementation of the child’s rights documents, adhere to child’s education, and contribution of ethnic variables.

**Hypotheses**

The following research hypotheses were formulated to find solutions to the challenges facing child’s rights issues at 0.05 level of significance.

Ho1: There is no significant relationship between child’s rights’ attainment and implementation of child’s rights legal documents in Nigeria.

Ho2: There is no significant relationship between child’s rights’ attainment and the child’s rights to education in Nigeria.

Ho3: There is no significant relationship between child’s rights’ attainment and ethnic activities of culture and religion in Nigeria.

Ho4: There is no significant relationship between child’s rights’ attainment and gender inequality of genital mutilation, child marriage, child labour, male child’s education over female’s.

**Significance of the Study**

The importance of child’s rights’ attainment for the teeming children in a country goes a long way in future’s social, political, economic and leadership attainment. Issues facing the proper care and development of the child are therefore needed to be prevented by parents and the government effectively. Hence, this study is of significant value in the sense that: a) It will assist the parent in taking appropriate steps in preventing challenges of child’s rights issues at home and society; b) It will help the society in taking appropriate steps in preventing ethnic factors such as culture and religion challenging the child’s rights; c) It will stimulate the government, Non-governmental and international bodies to discourage discrimination and gender inequality towards child’s rights’ attainment globally; d) It will encourage the country to take with every seriousness the implementation and enforcement of many child’s rights’ protections, laws and acts in Nigeria.

**Methodology**

Descriptive research design was adopted for the study, an **ex-post facto** type since the independent variables tested in the study would not be manipulated. Random sampling was adopted for selecting respondents: teaching staff, child’s caregivers, child’s social workers and child’s psychologist in six (6) higher institutions offering courses related to Early Childhood Care and Education in South-Western Nigeria. By using legal documents relating to child’s rights such as the 1989 convention on child’s rights, National Policy on Education (2014), The 1999 Constitution of FRN as amended, and 2003 Child’s Act, a 30-items self developed questionnaire, tagged ‘CRC Scale’, was used to collect data. The instrument, questionnaire, was a self-made one adapted from the legal documents on the child’s rights as stated above. The face and content validity of the instrument were ensured, and these were properly enhanced by suggestions from social works, law and psychology departments of the Universities of Ibadan and Obafemi Awolowo in Nigeria. The final draft of the instrument was trial tested on a sample of 50 respondents from other three institutions by applying test and re-test method. This gave a reliability coefficient of 0.72. Pearson’s Product Moment Correlation was applied to analyse data.

**Analysis of Data**

Ho1: There is no significant relationship between child’s rights’ attainment and implementation of child’s rights legal documents in Nigeria.

**Table 1: The relationship between child’s rights’ attainment and implementation of child’s right legal documents**

Variables N X SD r R2% Remark

Implementation of child’s rights

legal documents, monitoring of

implementation 200 11.34 3.04

0.69 65.81 \*significant

Child’s rights’ attainment 200 29.09 9.21

Significant at p = 0.05

Table 1 reveals a correlation coefficient of 0.69, which is positive and significant at 0.05 level. This indicates that child’s rights’ attainment could be achieved through proper and effective implementation of child’s rights legal documents. The hypothesis is therefore rejected, meaning there is significant relationship between child’s rights’ attainment and implementation of child’s rights legal documents.

Ho2: There is no significant relationship between child’s rights’ attainment and the child’s rights to education in Nigeria.

**Table 2: The relationship between child’s rights’ attainment and education enlightenment on child’s right in Nigeria**

Variables N X SD r R2% Remark

Child’s rights education enlightenment

on trafficking, street’s trading, domestic

services 200 13.65 6.04

0.61 58.72 \*significant

Child’s rights’ attainment 200 37.09 13.62

Significant at p = 0.05

Table 2 shows correlation coefficient of 0.61, which indicates a positive relationship between the child’s rights’ attainment and education enlightenment towards child’s rights’ awareness in Nigeria. From the table, 58.72 per cent of the education enlightenment’s is contributed to the total variance of the success of child’s rights’ attainment. The initial hypothesis is therefore rejected.

Ho3: There is no significant relationship between child’s rights’ attainment and the ethnic activities of culture and religion.

**Table 3: The relationship between child’s rights’ attainment and ethnic activities of culture and religion**

Variables N X SD r R2% Remark

Ethnic activities of culture and religion,

Non-registration of birth 200 12.24 4.21

0.67 61.45 \*significant

Child’s rights’ attainment 200 32.58 8.22

Significant at p = 0.05

Table 3 indicates a correlation of 0.67, which shows a positive and significant relationship between the child’s rights’ attainment and ethnic activities of culture and religion. From the table, ethnic activities of cultural and religious issues contribute about 61.45 per cent to the total variance of child’s rights’ attainment. The initial hypothesis is therefore rejected.

Ho4: There is no significant relationship between child’s rights’ attainment and gender inequality of genital mutilation, child marriage, child labour, male child’s education over female’s.

**Table 4: The relationship between child’s rights’ attainment and gender inequality of genital mutilation, child marriage and child labour, male’s child education over female’s**

Variables N X SD r R2% Remark

Gender inequality of mutilation, child

marriage, and child labour, male child

education over female’s, juvenile justice 200 9.28 2.19

0.68 68.72 \*significant

Child’s rights’ attainment 200 33.62 11.32

Significant at p = 0.05

Table 4 reveals correlation of 0.68, indicating that there is a relationship between gender inequality and child’s rights’ attainment. The table expresses the fact that gender inequality such as genital mutilation, child marriage, child labour and preference of male to female child’s education are some instances that can debar the attainment of child’s rights’ attainment. The gender inequality from the table, contributes about 68.72 per cent to the total variance of the child’s rights’ attainment. Hence, the initial hypothesis was rejected.

**Discussion of Findings**

The overall result of the study shows that all the four tested hypotheses were rejected. Tables 1 to 4 reveal high correlations, at 0.05 level of significance, between the child’s rights’ attainment and implementation of child’s rights’ legal documents, education enlightenment, ethnic activities, and gender inequality. In Table 1, the explanation is that implementation of child’s rights’ Acts correlates the attainment and achievement of the child’s rights, which is consonant with the opinion of UNICEF (2001), Reliefweb (2010), UNESCO (2016) Parker & Crabtree (2023) and WHO (2024) that, to eliminate any child’s rights issue, there should be promotion of child’s rights Act. In Table 2, it is revealed that education enlightenment to curb social child’s issues such as trafficking, street’s trading and child domestic services, is an effective way to discourage issues threatening the child’s rights in Nigeria. The opinions of UNICEF (2011), Burtch (2006), BINOCC (2010) in Reliefweb (2010) and the Cable (2023), support the findings in Table 2 that, enlightenment involving popular education will de-emphasise child’s issues such as trafficking, street’s trading, and domestic services. In Table 3, it is revealed that ethnic activities such as culture and religion have impact on the child’s rights’ attainment. This is in corroboration with the international committee on Nigeria’s position on the human rights’ situation (Reliefweb, 2010; NCPCR, 2024), that cultural and religious diversities posed obstacles to the implementation of the child’s rights Act in Nigeria. In Table 4, it is shown that gender inequality is another challenge to the attainment of child’s rights in Nigeria. This tallies with the outcome of the report of the international committee (Reliefweb, 2010) on the situation of fundamental rights in Nigeria, on the child’s rights’ attainment as prescribed in the Article IV of the 1999 Constitution of Nigeria, as amended that discrimination and gender inequality such as female genital mutilation, child marriage, ethnic and religious violence are negative factors hindering the attainment and implementation of the child’s right’ acts and laws.

**Conclusion**

It has been empirically revealed in this study that child’s rights’ attainment in Nigeria significantly correlates the effective implementation of child’s rights’ legal documents, education enlightenment, less ethnic activities, and gender equality. It could therefore be concluded that Nigerian government at various levels need to intensify action towards putting in an action plan, for the effective implementation of the child’s rights’ Act. The matters of domestication, ratification of protocols on child’s rights and education enlightenment have also been revealed in the study to be at low ebb in Nigeria.

**Recommendations**

Based on the analysis, discussions and findings of this study, the following recommendations are hereby presented: that,

* an enabling policy environment, including a National child policy, which should translate the Child’s Rights Act and law into specific objectives and targets, be provided;
* proper legal guidelines should be enacted for the management and monitoring of orphanages and other childcare institutions;
* family courts should be established in all states in Nigeria to ensure the effective enforcement of the child’s rights Acts;
* as one of the 193 state parties on the convention, Nigeria should regularly present periodic reports to the international committee on the child’s rights’ situation, in an effort to comply with provisions of all the international treaties and their protocols on the child;
* there should be a law to establish a Child Protection Agent (CPA) to be the main body to coordinate all the efforts to protect children;
* the moribund earlier established child parliament should be resuscitated in order to afford adequate and effective representation to children at National, state and local levels;
* there should be new initiatives on how to get women registered their births; the federal government should put in place the capacity to offer mobile registration facilities;
* on juvenile justice, Nigeria at the federal, state and local levels should put in place the system of family court of records in order to discourage totally the trial of children in adult courts.

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