

# Towards the Realization of the Rights of Nigerian Children Under the Child Rights Act -Reviewing and Redressing the Critical Challenges

E.A Odike Ph.D<sup>1</sup>

<sup>1</sup> Ebonyi State University, Abakaliki - Nigeria

*Received: 15 December 2017 Accepted: 4 January 2018 Published: 15 January 2018*

---

## Abstract

The Nigerian Child's Rights Act<sup>1</sup> (hereinafter called the "act") is a reproduction of the United Nations Convention on the Rights of a Child<sup>2</sup> (hereinafter called the "convention"). Nigeria was among the earliest state parties that ratified the convention when it was adopted and opened for signing; ratification or assent by the United Nation General Assembly Resolution 44/25/of 20th November 1989. But when the convention came into force on 22nd September 1989, in accordance with article 49 of the United Nations Charter, it was technicality not binding on Nigeria by virtue of section 12 of the 1999 constitution of Nigeria which provides that unless a treaty enter into by Nigeria is enacted into by an Act of the The convention, being a treaty, was accordingly enacted into by law by an act of the National Assembly in 2003. Because of that re-enactment, the act shares a common affinity with the convention in several ways. I.e. both laws are applicable childfriendly or child-based enactments that guarantee assorted and somehow similar child's rights. The article, using doctrinaire approach, takes an insightful look at the application of the act and to some extent, the convention in Nigeria. This is with a view of identifying the critical challenges to the realization of the guaranteed rights of Nigerian children contained in the two principal child-friendly enactments. At the end of the insight, the article provides useful recommendations inform of steps that should be taken to enhance the realization of the provisions of the act and the convention by Nigerian children.

---

**Index terms**— child, framework, policy, strategy, mortality, mutilation, prevalence, development and heritage  
Towards the Realization of the Rights of Nigerian Children Under the Child Rights Act -Reviewing and Redressing the Critical Challenges E. A Odike Abstract-The Nigerian Child's Rights Act 1 (hereinafter called the "act") is a reproduction of the United Nations Convention on the Rights of a Child 2 (hereinafter called the "convention").

Nigeria was among the earliest state parties that ratified the convention when it was adopted and opened for signing; ratification or assent by the United Nation General Assembly Resolution 44/25/of 20 th November 1989. But when the convention came into force on 22 nd September 1989, in accordance with article 49 of the United Nations Charter, it was technicality not binding on Nigeria by virtue of section 12 of the 1999 constitution of Nigeria which provides that unless a treaty enter into by Nigeria is enacted into by an Act of the

The convention, being a treaty, was accordingly enacted into by law by an act of the National Assembly in 2003. Because of that re-enactment, the act shares a common affinity with the convention in several ways. I.e. both laws are applicable childfriendly or child-based enactments that guarantee assorted and somehow similar child's rights. The article, using doctrinaire approach, takes an insightful look at the application of the act and to

some extent, the convention in Nigeria. This is with a view of identifying the critical challenges to the realization of the guaranteed rights of Nigerian children contained in the two principal child-friendly enactments. At the end of the insight, the article provides useful recommendations inform of steps that should be taken to enhance the realization of the provisions of the act and the convention by Nigerian children.

It is better to commence the discussion with explanation of keywords. According to the act and the convention, a child is a person who is below the age of eighteen years. <sup>3</sup>

1 Cap C50 Laws of the Federation Nigeria 2004 <sup>2</sup> Presently, about 193 countries have ratified, accepted or acceded to the convention with or without a stated reservation or interpretation. ?? See, section 21 of the Child's Right Act Cap C50 Laws of the Federation of Nigeria 2004. See also, Article 1 of the United Nations Convention on the Rights of a Child.

Framework figuratively means a basic conceptual structure. Policy means a plan of action or statement of ideas. Strategy connotes the art of planning and directing of operation. Mortality means the number of deaths in a specified period of time. Mutilation means the damaging, injuring, disfiguring, tearing or cutting-off of a necessary part. Prevalence means the widespread occurrence, happening or existing of a thing. Development means reaching new stage or event. Heritage means a work of art, cultural achievements or folklore that has passed from one generation to another.

The convention which birthed the act in Nigeria was greatly inspired by a code for children called, the Declaration of Geneva. The need to have a dedicated child law ignited the conference held in Geneva Museum of Art and History on 28 th February 1924. The carryover effect of that conference was the ratification of the convention. The convention which was anchored on the philosophy of the code called the Declaration of Geneva contains a special provision which exclusively provides for the rights of a child. This is born out of the understanding that children are unique; hence, the need to ensure through legislation, their stable transition to a progressive adulthood. This is the basis of the principle of "best interest of a child" which section 1 of the act and article 1 of the convention enshrined as a fundamental or governing consideration for any action involving a child.

The principle elevates the interest of a child above every other consideration concerning the child and propounds that the interest of a child should be of paramount interest in all considerations concerning the child whether undertaken by an individual, public or private body, institutions or service, courts of law, administrative or legislative authority. The underlying factors imbedded in the principle of best interest of the child are to the effect that:

The wishes and feelings of a child should be ascertained bearing in mind the age of the child and his or her understanding; iv. Any harm the child has suffered, or is suffering, or would suffer in the future should be considered and eliminated.

## II. The Critical Challenges to the Realization of the Rights of a Child

Unarguably, the best interest of a child is the cornerstone or the light house of the act and the convention: but the enforcement of the provisions of the act since its domestication in Nigeria in 2003 has merely been modest instead of being laudable. This modest achievement has eroded the positive impact of the act nay, the convention in Nigeria. An assemblage of critical challenges has conspired to cripple the gains of the act and the convention in Nigeria. These critical challenges in the main are:

### 1 a) Poverty

In spite of the existence of the act and the convention, Nigerian children are still being raised in an environment with increasing vulnerabilities due to poverty or deprivation. The existence of an unimaginable scale of poverty in the land of plenty <sup>4</sup>

It is a settled fact that majority of Nigerian children face overwhelming challenge of poverty even before they make their first steps in life. Poverty has and is still preventing many Nigerian parents from providing the much needed direction to their children in a manner consistent with their evolving abilities.

It has undermined the efforts of most parents or those in loco parentis to appropriate, on behalf of their children, the rights enshrined in the two enactments.

## 2 5

One indices of a functioning society is the window of opportunities and ventilation of grievance it offers its citizens or members. This has not been the lot of many Nigerians in their society. It is not contestable that children with financial disability are at a higher risk of violence and exploitation. This is because they face a wide range of risks such as physical, social and environmental challenges. This has place them at far higher risk and made meaningless their right to life, or This has prevented many parents and guardians from discharging their primary responsibility of upbringing and the development or preparation of their children for adulthood i.e. sending them to school and catering for their overall needs. ?? The existence of oil and other mineral resources though elevates the economic status of Nigeria; the reality is that majority of Nigerians still wallow in abject poverty. ?? Presently in Nigeria, majority of Nigerian children are not enjoying a full recent life in a condition which ensure dignity, promote self-reliance and facilitates the active participation of children in their societies. According to

---

the National Bureau of Statistics 2014 Report over sixty percent of Nigerians lives below two dollars per day. Also the World Bank Report of 2014 grouped Nigeria as one of the world's extremely poor country.

reduce their participation in social activities including access to education, health-care and support services. The unfortunate part of Nigeria's poverty is that it is highly self-induced. This is because Nigeria poverty is not as a result of lack of human and material resources but corrosive corruption. The existence of and perpetuation of this particular trait of social decadence indeed makes Nigeria's poverty self-inflicted.

### 3 b) Culture

Culture involves attitudes, practices, mindsets, habits, or held beliefs of a given society. Cultural heritage is the mirror of a society's way of life: a kind of cultural habit that has become more or less a cultural identity. One noticeable and unique characteristic of culture is that it is dynamic and hardly changes.

Africa in general and Nigeria in particular is a sea bed, or a deep forest of held beliefs, attitudes and mindsets called cultural identity or heritage. Certainly, right to cultural activities as enshrined in section 12(2) of the Act and article 9(1) of the convention enables a child to participate fully in the cultural and artistic activities of his or her community. This importance, notwithstanding, an unregulated cultural practice negatively affects the rights of children embodied in the act and the convention.

One of such unregulated cultural practices is female genital mutilation. 6 i. Inhibition of a woman's sexuality. In some Nigerian societies, where female circumcision is practice, the operation is essentially aimed at limiting female sexual drive. This acts as a traditional antidote against pre-marital and extra-marital sex.

Procedurally, female genital mutilation involves the traditional or unorthodox altering or removal of some parts of a female genital make-up not necessary because of a medical or atheistic value; but largely to ensure sexual prohibition or preferably chastity.

An available record shows that the reasons for the cultural practice of female genital circumcision include:

ii. The need to make woman pure or clean through a cleansing procedure. This is what female circumcision "offers" when it removes the "unclean genital organs" of a woman. 7 iii. The belief that unless a female genital organ(s) is or are removed, the possibility of conception is limited. ?? The prevalence rate of female genital mutilation in Nigeria is conservatively put at between 40 percent to 50 percent but the report by the united nations statistics put the practice at 60 percent. This explained why the Federal Government of Nigeria set aside the 6 th day of February of each year as national day for the elimination of female genital mutilation. iv. The belief that the clitoris and the labia are male organs found on female body hence the need to remove them. v. The belief that female circumcision is a form of cultural heritage that should be preserved; and above all, vi. The need to ensure that the girl-child maintain her virginity until marriage. Nigerians, not those abroad, can understand this narrow reason. Understandably, African society in general and Nigeria in particular is a place where virginity is a high prize trophy and an emblem of family honour worthy of any prize, even circumcision. However, the practice of female genital mutilation, christened female circumcision, according to the United Nations Convention of Violence Against Women, which Nigeria is a signatory constitutes a violence against women. Similarly, it violates a child's right to dignity enshrined in section 11 of the act. The above provision also have a constitutional foothold in section 34 (1) of the 1999 constitution of Nigeria. Reflection of that is also contained in the convention. ?? Thirdly, the cultural belief that the girl-child is inferior or is not as good as her male counterpart is discriminatory. The seemingly immutability of this belief, even in modern time and among educated Nigerians and other elites has led to breaking of marriage on Secondly, the cultural practice in Nigeria that forbids children from eating some child-friendly diet like egg or meat either completely, or with a significant reduction to the extent that the necessary nutritional value is not achieved or derived affects the right of children to good health. In Nigeria society, where the above culture is practice, there exists the belief, though erroneously, that allowing children to eat eggs or meat encourage them to steal. Similarly, unborn children also suffer from the cultural practice of prescribing food for pregnant women. Such prescription includes the denial of pregnant women, nursing mothers and children eggs and certain type of meat or food because of the belief that they could make child birth difficult or caused dreadful disease or acquisition by children of bad or unwanted habit.

This line of reason, based on cultural instruction, is certainly against health certainty that the fortification of a child with necessary forms of dietary intakes at birth or within the first 1000 days of the child's life outside womb have significant nutritional and health value.

account of lack of male child and refusal to sponsor girl child educationally.

Fourthly, the cultural practice of adult males or female hegemony (of course, mostly adult males), which ensure over reliance on the wisdom of the aged constitutes a critics challenge on the rights of a child to participate in programmes and policies that are childrelated. This point should be carefully noted in view of the clear evidence that child-related programmes and services are often made more effective when children are consulted and involved instead of having adults talking down on them and taking unilateral decisions on their behalf: 9

## 4 c) Education

The need for a harmonious development of a child's personality which education offers cannot be over emphasized. This is because the right to education is a pivotal right which can transform a child's life. In fact, the actualization of other rights largely depends on education.

Education prepares a child for an active and viable adult life. It also helps the child to foster respect for his cultural background and values of other cultures.

The significance of education as an important springboard or purveyor of development in a society is not debatable hence; the act and the convention specifically provide for then. The failure of the Nigerian state to adequately develop different forms of primary, secondary education including general and vocational education and make them available, or accessible and affordable by every school age Nigerian child is indeed a dent on the nation's image and a clip of the right of Nigerian children to education. The direct consequence of this failure is that it has made Nigeria to be deeply burden with high level of child illiteracy. Expert in the education sector linked the dismal performance of Nigeria in area of education to high poverty, unemployment and poor learning environment. For example, dilapidated, overcrowded and unsuitable school premises, incessant disruption in the academic calendar of schools as a result of strikes and other forms of industrial actions. Similarly, low teachers morale, insufficient quantity and quality of teachers and lack of up-to-date instructional materials have been added as contributing factors. 11 9 "What an old man can see while sitting, a child cannot see it even if he climbs a tree". This is an African saying that supports the suppression of children's view. See also, Kanugi and Monica Award, "The Rights of Palestine Child" Issue No. 19, February 2014 p 13 10 See, section 12 of the Act and article 28 of the convention. See further, section 18 of the 1999 constitution of Nigeria which provides for the educational objectives of government under chapter II of the constitution dealing within fundamental objectives and directive principles of state policy. This shortage of serious commitment to widening of access to educational opportunities for her large numbers of school-age-children has been linked to the dismal level of primary and post primary education in Nigeria's. This is inspite of the fact that Nigerian is a signatory to the Dakar Framework which advocates "Education for All Goal by the year 2000". We are now in 2016 and this high level of illiteracy still persists.

The increasing number of illiteracy rate among Nigeria children goes against the global reduction on the general literacy level. This particular short coming will continue to challenge the rights of Nigerian children to education and reduce the possibility of Nigerian achieving the much taunted Millennium Development Goals in the area of education by the year 2020.

## 5 d) Insecurity

The principle of the best interest of the child which warranted the enactments of the act and the convention advocates that children should be accorded the necessary protection and assistance within their society. This is necessary for their well being and smooth transition to adulthood. The inability of the Nigerian state to take all feasible steps to ensure protection and care of children who are affected by armed conflicts is a clear challenge or even a violation of the right of children enshrined in the act and the convention. It also violates section 14(2)(b) of the 1999 constitution of Nigeria which provide that "the security and welfare of the people shall be primary purpose of government".

A guaranteed security is an important measure for the survival and development of the child. Unfortunately, at the moment, Nigeria's environment is rife with internal insecurity or strife. Children, not only Chibok girls are being constantly kidnapped, abducted from schools or killed at home, streets and playgrounds.

Internal strife induced by electoral violence, armed robbery, kidnapping, abduction, incessant ethnoreligious crisis, militia activities, insurgency and sheer banditry had become a daily cook tail Nigerian children are being served with. The notoriousness associated with the terrorist activities of Boko Haram 12 sect in Nigeria is well known. The internal strife caused by this despicable set and their evil cohort, armed Fulani herdsmen/cattle rustlers have transformed Nigeria into a high-risk security country for children and adult. Currently, Nigeria rank high on global death from insecurity. 12 3 primary school age children in Nigeria out of which an estimated ten million are not enrolled in any form of education 12 . Boko Haram is an Hausa phrase meaning "no book" or no western education. 12 3 In a comparative study of crisis-ridden countries of the world like Iraq, Pakistan and Afghanistan, Nigerian reportedly recorded 1, 219 death, while Iraq recorded 556, Pakistan 124 and Afghanistan 89 deaths. This is between January-March 2014 alone. Syria and Central

## 6 e) Health

Children are entitled to health services hence, section 13 of the act and article 24 of the convention incorporates the health obligation of government to children. This is to the effect that Nigerian children are entitled to enjoy the best attainable standard of health and facilities for the treatment of illness and rehabilitation of health. But in reality, this is not the case. Though, there is a National Health Policy, the implementation of the policy has not been promotive, protective, rehabilitative and restorative. This is because of government constant disregard for its contents presumably, because section 17(d) of the constitution which contains the health obligation of Nigerian government is not an enforcement right. 12 4 This has indeed undermined section 13 of the act which imposed on the government the duty to provide adequate medical health facilities for all persons. But promoting

---

proper, functional hygiene that ensures safe health for children is the duty of adult, government and relevant shareholders. According to World Bank Report, 2010, the mortality rate of female child per 1000 children age one in Nigeria previously was 56.5 percent but 93% in 2010. The mortality rate of male child per 100 male children age one in Nigeria was 57.3 percent but 91 percent in 2010. Mortality rate of children under 5 years in Nigeria per 1000 live birth previously was 94.7 percent but 92.8 percent in 2010; life expectancy at birth of a female child in Nigeria previously was 50.8 percent but 51.3 in 2010; and life expectancy at birth in male child in Nigeria previously was 49.3 percent but 49.7 percent in 2010. These clearly shows the impediment to the right of Nigeria's children to health.

## 7 f) Environment

Ideally, the environment should not bring diseases and deaths but development and happiness. Ironically, in Nigeria, no place, not even the homes, streets, neighbourhoods, and parks are safe or secured for children. This is because the Nigerian environment is susceptible to several vulnerabilities. For instance, African Republic is not included in the comparative study because the violence there is more or less a civil war. For instance, in Syria, anti-Assad led government are engaged in a destructive civil attempt to topple the government while the central African Republic attritions conflict has acquired ethnic -religious colouration. It has largely become an armed conflict between Christian and Muslims orchestrated by the SALECA Muslim led governments. This is because the said section and all the provisions of chapter II dealing with fundamental obligations and directive principles of state policy as been rendered unenforceable by section 6(16)(c) of the same constitution. Nigeria's demographic profile in 2003 puts infant mortality rate at 7.297 deaths per 1000 live births: improved water source at 42. percent of the population: health expenditure at 5.3 percent of the 2011 gross domestic product. See, <http://www.indexmind.com/nigeriademographics-profile.html>. retrieved on 20th March 2014.

## 8 Volume XVIII Issue I Version I

### 9 ( A )

hazardous and unfriendly environment has caused diseases and deaths of children in most homes, town and cities. Specifically, open sewages, open gutters and broken water pipes, which are hardly repaired has become death traps. The sewages seeps to the ground and surface water sources and become harbingers of diseases and death. The adverse effect of sewages on water quality and the quality of lives of its users are better imagined.

Also, illegal dumping of waste and discharge from industries has cause, at an alarming rate, the pollution of many water bodies in Nigeria. This has been compounded by population growth, migration, internally displaced persons, urbanization, climatic change and other economic alteration, which have a direct impact on water service as well as eco-system. Sadly the incessant pollution of the country's water bodies or the atmosphere by illegal or unregulated mining and other forms of exploration activities; dumping of materials wastes, irresponsible disposal of domestic waste, poor farming techniques among others has become health burdens Nigerian children constantly face. This is bad for Nigerian children, even if fresh water is a renewable resource; others are not. Moreover, the world -wide availability of water remains constant at a time the demand for fresh water is dramatically increasing due to population growth.

## 10 III. Recommendations

There is no doubt that the provisions of the act and the convention are comprehensive and impressive. However, their implementation in Nigeria, as a result of unfriendly economic, social, cultural and environmental factors made their realization not intensive and extensive. This calls for urgent steps to be taken in order to actualize the governing principles enshrined in the act and the convention. Accordingly, the following recommendations as suggested as a way out.

### 11 a) Legal Framework

There is a need to establish a specific national, state and even local government agency saddled with the responsibility of ensuring that the provisions of the two enactments, the act and the convention are adhered to or respected. Such agency will expose any form of abuse perpetuated against children and make the offender liable under the law.

In this regard, the functional responsibility vested on the National Agency for Trafficking in Human Person is not enough to cover all the challenges Nigerian children face in their drive to realize the rich contents of the act and the convention.

Article 43 of the convention anticipated the importance of such a framework. This is why it established a committee and charged it with the responsibility of examining the progress made by state parties in achieving the realization of the obligations undertaken by them.

### 12 b) Poverty

A nation with a high rate of poor people cannot easily engender the necessary economic growth (or renewal) and effectively ensure protection of rights. Therefore, to ensure stable development and preparation of Nigeria

children to a progressive adulthood, there is a need to evolve and effective strategy or measure which will effectively address the issue of poverty.

The effect of poverty is hardest on children because it deprives them a head start in life hence, government as enable of economic growth should facilitate the much needed economic rejuvenation. This can commence with poverty alleviation programmes such as provision of social infrastructures, granting of credit to small scale holders through recognized community based thrift organizations. It is an economic truth that empowering recognized community based thrift society with credit facilities can lead to the growth of small and medium scale enterprises. This in turn can generate inclusive economic growth instead of the current exclusive economic growth that is not felt by ordinary Nigerian. This is a better and more viable approach to the current government initiated, funded and driven poverty alleviation programmes, such as National Poverty Alleviation Programme, Subsidy Re-investment Programme and National Economic Development Strategies. Perhaps, this is why the current Buhari led administration in Nigeria scrapped Subsidy Reinvestment Programme. Generally, the rest of the programmes not scrapped are in comatose because of political influence and corruption.

In order to curb poverty there is also a need to provide the enabling environment and sectoral supports such as security, good transportation system, electricity, hospitals, schools and other social amenities. The comforting fact is that improvements of social infrastructures do not only reduce poverty but also improve the living standard of the people. This enablement, coupled with a pro-active legal regime that adequately empowers anti-corruption watch dogs such as the Economic and Financial Crimes Commission and the Independent Corrupt Practices Commission will ensure citizens' economic emancipation and remove the shackles of poverty that has entangled many Nigerian families nay, children.

### 13 c) Child Participation

Though the convention enshrined children participation and respect for their views in its Third Optional Protocol, the reality is that, that provision is non-binding on some state parties and where they are, they are often breached than respected. The strategy of involving children when an initiative or action requires them to adopt new practice enables children to understand their roles and responsibilities. This helps tremendously in keeping track of their development and highlighting critical issues that requires urgent attention.

Effective implementation of the provision of the act and the convention therefore requires the evolution of strategy and policy initiatives that involves the participation of children. According to Jane Kanugi and Awad Monica: 17

### 14 d) Security

there is a body of evidence that shows that child -focused programmed and services are often rendered much more effective when children are involved. The important of the above sociological finding is critical considering the fact that Nigerian society is largely male dominated and elderly-driven. This has often made the opinion of children to hardly count. Unfortunately, this cultural belief is justified by the common saying that "what an elderly persons can see while sitting, a child cannot see it even if he climbs a tree".

Section 14 (2)(b) of the extant 1999 constitution of Nigerian provides that the security and welfare of the people shall be the primary purpose of government. Adequate security is particularly important for the development and well being of children and generally needful in realizing the rights of children under the act and the convention.

The current state of insecurity in Nigeria therefore needs urgent reversal. As a starting point, the tide of insecurity and slide to anarchy orchestrated by insurgency, militia activities, electoral or political violence, kidnapping and other forms of criminality need to be dealt with, forthwith. The Nigerian government need to live up to its constitutional obligation as stated above by ensuring a periodic assessment of its security strategy.

In that regard, there is a need to periodically replace obsolete and broken down operational vehicles of armed personnels. Equally, the government should embark on a system and facility upgrade: constant boosting of the morals of members of the security forces coupled with performance evaluation assessment of its security personnels. This will enable them to effectively secure lives and properties, especially vulnerable spots and persons.

### 15 e) Cultural Heritage

For Nigeria children to exist and transit to a progressive adulthood there is a need to resist the temptation to be seduced by harmful and antiquated cultural practices considered as cultural practice or heritage. Though, they are based on the desire to do what is good for the child: there should be a moderation and modernization which involve a concerted effort towards eliminating, through legislation and advocacy 17 Jane Kanugi and Awad Monica. Op. Cit p. 11 campaign, these harmful cultural practices coined cultural heritage. What is more, these outdated, erroneous and harmful cultural heritage, belief or practice has no place in the modern world.

### 16 f) Health

Though, there is a National Health Policy, the implementation of the policy has not been promotive, protective, rehabilitative and restorative. This has indeed undermined section 13 of the act which imposed on the government the duty to provide adequate medical health facilities for children. This is because of government constant

---

disregard for its contents and possibly because of section 17 (d) of the 1999 constitution which impose health obligation of Nigerian government is not an enforcement right. ??8 Annexed to the above, there is a need to establish a Hospital Development Fund so as to revitalize the health sector and improve health -care delivery system in Nigeria. This fund will also help in ensuring that the number of doctor/patients ratio But promoting proper, functional hygiene that ensures safe health for children is the duty of adult, government and relevant stakeholders. Therefore, a full implementation of policies, strategies and initiatives that promotes child health needs, services and nutrition: and reduction of neo-natal death is important and incumbent on government. To ensure the achievement of the above health objectives, there is a need to strengthened activities that formed an integral part of primary health policy for instance, reduction of neo-natal and post natal death.

Allied to that, there is a need to activate initiatives such as National Programme for the Survival , Protection and Development of the Nigerian child and the National Formulary Decree (now act), which make it an offence to manufacture, import, sell, display for sale and advertise any drug not on the approved list. Similarly, collaboration with relevant stakeholders to key in or support the implementation facilitation, monitoring and dissemination of polices is important coupled with that, there is an equal need to exposed registrations, polices and regulatory mechanism such as the framework convention on Tobacco control that protect the population and individual, especially children from exposure to risk.

Furthermore, there is a need for system upgrade and the setting up of diseases control and prevention centres across the country: increase budgetary allocation to health, particularly health centres and proper funding of the activities of National Agency for Food and Drug Administration and Control and that of Standard Organization of Nigeria. improves in Nigerian. This is important if incremental health is to be sustained.

## 17 g) Environment

The use of stoves and fire woods particularly in rural areas contribute greatly to rising tide of noncommunicable diseases in Nigeria. Hence, there is a need to stem this ugly trend by deploying concrete efforts toward attaining national health coverage. In this regard, air and water pollution, solid and hazardous waste, deforestation and soil degradation should be properly managed.

## 18 h) Education

Education is an enabler of rights and opportunities. Hence, the needs to foster a functional and qualitative educational system which will enable school-age-children acquire useful education. A situation where majority of pupils enrolled and studied in an un-conducive environment or under dilapidated structure or under trees seriously compromise or impedes the right of Nigerian children to a head start in life which quality education guarantees.

In this regard, government should work round the clock and ensure that effective and efficient regulations are established and implemented. Secondly, government should actively engaged incapacity building of teachers; provide them with adequate, attractive remunerations and appealing retirement benefits.

Other relevant motivation include: timely payment of earned salary, in service training (inform of fresher/further training), seminar or workshop and provision of instructional materials that are not only upto-date but also suitable for contemporary studies. Tied to the above, there is a need for a structural improvement of schools nation-wide. Thirdly, government and other stakeholders should strive hard to widen access to education, particularly in areas of primary and secondary education. Children not covered by former public schools system should have access to establish vocational schools. The Tsangiya model schools system which is aimed at tackling out-of-school children challenge is a good educational initiative that should be replicated nation-wide because of its potential of turning around the dwindling educational fortunes of Nigerian children especially school-age children. ??9 Fourthly, in order to make the provision of section 15 of the act and section 18 of the constitution which provides for the right of Nigerian children to education and the educational objectives of government respectively, there is a need to establish an agency charged with the responsibility of creating the necessary 19

The Tsangiya model school system is a Federal Government Educational initiative that caters for school-age children who are not enrolled in any formal school. There is a need for government/nongovernmental organization partnership in the Tsanagiya model school system awareness and prosecuting parents and guardians who fail to enroll their school age-children in schools. ??0

## 19 IV. Conclusion

Finally, there is a need for a federal government/non-governmental organization partnership in educational initiative. This is because the task of eradicating illiteracy even in developed countries is not borne by government alone. Therefore, the private sector need to be encourage to key-in since the end result of education is beneficial and a win/win for all parties.

Indeed, instead of the current practice of promoting profligate entertainments by private organizations, the colossal sum of money expended on such less profitable venture can be better utilize on education, health, environment or security. This will ultimately yield more profitable return, in short and long time than the spontaneous ephemeral and egoistic elation or elixir that promotion of entertainment programmes offers.

If one call on bronze, bronze will be dumb: If one call on silver, silver will be silent: If one calls gold, gold will be mute. But if one call on mankind, people will respond. It is people that matters, especially children because of their uniqueness. Apart from being unique, there is enough evidence showing how resourceful, creative and dynamic Nigerian children are. This assertion can be easily ascertained in Nigerian children creativity. Ask a non-Nigeria about Nigerian children competence in age-grade competitions, and you will definitely receive a deafening affirmation of the competence, ingenuity, matchless spirit and extensive reservoir of resourcefulness and enthusiasm of Nigerian children. This is despite of the aforementioned challenges. Basically, what is needed to ensure the realization of the rights of Nigerian children under the act and the convention is the closure of the yawning gap between policy prescription and implementation.<sup>1 2</sup>



Figure 1:

---

<sup>1</sup>The 1996 United Nations Development System Study Report shows that 33.7 million women including children have undergone female circumcision in Nigeria. The average reported rate for the combined six states that make up south -west Nigeria is 66 percent: that of south-east made up of five states is 56 percent. The other zones of north -west, north -central, north -east and south -south has lower rates. This makes the south -west the highest rates of female genital mutilation cases.

<sup>2</sup>This is because the said section 17(d) of the constitution and other provisions of chapter 2 of the constitution dealing with fundamental obligation and directive principles of state Policy has been rendered unenforceable by section 6 (6) (c) of the same constitution.