

**ADVOCACY CAMPAIGN AND BRIEFING PAPER  
ON THE PASSING OF THE CHILD RIGHTS LAW  
FROM THE  
NETWORK FOR JUSTICE AND DEMOCRACY  
(A NON-GOVERNMENTAL ORGANIZATION)**

**TO:**

**THE HONOURABLE SPEAKER  
EDO STATE HOUSE OF ASSEMBLY  
BENIN CITY**

**26TH JUNE 2007**

**NETWORK FOR JUSTICE AND DEMOCRACY**  
( *A NON-GOVERNMENTAL ORGANIZATION* )

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26<sup>th</sup> June 2007  
The Honourable Speaker,

Edo State House of Assembly

Benin city

**RE: ADVOCACY CAMPAIGN AND BRIEFING PAPER ON THE PASSING OF  
THE CHILD RIGHTS LAW IN EDO STATE OF NIGERIA**

The Network for Justice and Democracy is a duly registered and internationally recognized non-governmental organization dedicated to the promotion of human rights, gender equality and the advancement of democracy through education, advocacy and research.

Our NGO wishes to congratulate you on your election to the exalted position of the honourable speaker of the Edo State House of Assembly. This remarkable feat is an eloquent testimony of your impeccable integrity and competence as a distinguished and experienced legislator.

We also extend our hearty congratulations to the other distinguished legislators on their well-deserved elections. Our fervent wish is that during your tenure, Edo State will witness avalanche of good laws needed for the peace, order progress, development and good governance of Edo State.

Our NGO has watched with admiration; the take off with zeal and determination of the Edo State legislature to make laws for the progress, development, peace and good governance of the Edo State. It is praise worthy that one of the first Bills, the parliament in considering the Child's Rights Bill.

The Edo State legislature has been noted for its legislative vibrancy which makes it so stand out as a pace setter and the only State in Federation of Nigeria to have laws on

protection of the Rights of People living with HIV/AIDS, Maternal Mortality Monitoring law, Criminal Code Amendment Law on Prostitution and Human Trafficking, Female Genital Mutilation and Widowhood Rites.

Despite these remarkable achievements, Edo State regrettably remains one of the 21 States in the Federation yet to adopt the Child Rights Law which was enacted as a federal legislation since 2003. The time is ripe for Edo State to muster necessary political will and pass the Child Rights law without further delay so that posterity will place it on record that this present Parliament is sensitive to the rights and best interests of our children who are the leaders of tomorrow.

As our modest and selfless contributions to the advancement of the cause of democracy and promotion of children's rights, our NGO respectfully presents this advocacy campaign and briefing paper to assist in the passing of the Child's Rights law in Edo State. If obliged the opportunity, we can make the necessary presentation while the full house is session.

Our NGO can assist in the following ways:

- (1) Free consultancy services in the Drafting of the Child Rights Law.
- (2) Vibrant advocacy to promote and protect the rights and best interests of the child.
- (3) Systematic monitoring of the implementation of the law.
- (4) Assess progress achieved and challenges encountered in the implementation of the law.
- (5) Raise awareness on the Child Rights Law through sensitization and mobilization activities e.g. seminars, workshops, conferences, advocacy campaigns, enlightenment seasons etc.
- (6) Free legal aid and counseling to victims of child abuse, discrimination, violence and

contemporary forms of slavery.

- (7) Organize forums and peer education programmes on the Child Rights Law in different geo-political zones of the State
- (8) Monitor human rights abuses against children and work to end them.
- (9) Use legal actions and policy initiatives to create lasting impressions in the promotion and protection of Child's Rights.
- (10) Partner and collaborate with governments and other stakeholders to ensure the enactment and successful implementation of the Child's Rights Law.

We have an implicit confidence and trust in the Assembly's ability to pass the Child's Rights Law expeditiously.

Please kindly acknowledge receipt and circulate this briefing paper and advocacy campaign to the other members of the Parliament to sensitize them sufficiently.

Thanks for your co-operation and steadfastness in passing the Child Rights Law.

Yours faithfully,

Olaide Gbadamosi Esq

Executive Director

Cc

The Chairman,

Committee on Judiciary and Human Rights,  
Edo State House of Assembly,  
Benin City

The Chairman,  
Committee on Women Affairs,  
Edo State House of Assembly,  
Benin City

## **ADVOCACY CAMPAIGN AND BRIEFING PAPER FOR THE ADOPTION OF THE CHILD RIGHTS LAW IN EDO STATE OF NIGERIA**

### **Introduction**

The United Nations Convention on the Rights of the Child (1989) in its Articles 24 and 25 proclaimed that the child is entitled to special care, legal protection and assistance by reason of his stage of physical and mental maturity.

In all matters concerning the child, the best interests of the child should be the paramount consideration.

The Child is subjected to all kinds of abuses e.g. contemporary forms of slavery, child labour, exploitation, violence, discrimination especially against the girl child, early marriage, rape, denial of education especially for girls, child trafficking, violence female

genital mutilation, child soldering, hazardous works in mines and plantations to mention but a few. The exploitation of children is manifest daily with some being forced to hawk and labour for the upkeep and that of their parents thereby exposing them to dangers at their tender age. All these vices pose pervasive threats to children's rights and an obstacle to achieving the Millennium Development Goals. Tragedies like this can be prevented Edo State when the State develops proactive laws to protect and promote the rights and best interests of the Edo Child

To address the above abuses, the National Assembly enacted the Child's Rights Act in 2003. Under our Federal system of government; the 36 States of the country are enjoined to adopt in their respective States by legislation through their respective States Houses of Assembly.

Sequel to the above development, 15 States of the Federation has already adopted the law while Edo State and other 20 States in Nigeria are yet to adopt the law.

In view of the above lacuna, the pertinent question is - What is the rationale for Edo State for marking the Children's Day (May 27th of every year worldwide) if there is no Child's Right law in place.

In a similar vein, June 16<sup>th</sup> of every year is celebrated across the African contineny as the "*Day of the African Child*" in recognition of the day when in 1976, thousands of Black children had marched in the streets of Soweto in South Africa to claim their right to education , sparking a two-week revolt in which more than 100 people were killed and thousands were wounded.

### **The Imperatives of Passing the Child Rights Law in Edo State of Nigeria**

Children have the rights to grow in an environment that protects them from violence, exploitation, abuses and discrimination. A protective environment means having laws that punish those who exploit children, efficient and corrupt - free law enforcement machinery, community awareness, sound policies and a social justice system that is accessible and friendly to all children irrespective of race, color, gender, language, religion, origin or birth status.

Children are the leaders of tomorrow who deserve maximum care, protection and support. Violence of children's rights must stop. Impunity against children must end without further delay.

This legislature will leave its golden name in the sands of time if it passes this law now. A stitch in time saves nine. Edo State House of Assembly should pass the Child Rights Law to ensure that no child suffers from deprivation, discrimination, exploitation and deprivation of its rights.

Children's physical and intellectual maturity makes them vulnerable to human rights violations. The ill-treatment calls for special attention because they cannot speak for themselves and their opinions are seldom taken into account.

Children are born with fundamental freedoms and the inherent rights of all human beings. It therefore becomes imperative to enact a legislation to create mechanisms and measures to ensure the protection and realization of the rights of the child (a person under the age of eighteen years.). The legislation must be geared towards ensuring that the best interests of the child are protected.

The absence of the Child Rights Law in Edo State of Nigeria makes the rights of the child presumably far from being a reality. The existence of the child rights law imposes an

obligation and increases the accountability of governments for the implementation of the law and to better promote, implement and monitor Child's Rights.

Edo State Government owes an obligation to promote and protect child's rights through a legislation. Legislation is a veritable tool to secure Child's Rights. Children are the heritage of God and should be treasured. The greatest resources a society has, are his children.

Their rights must be recognized, from health to education, and be free from exploitation and have the right to hold opinions.

Life, survival, maximum development, access to health and to health services are not just basic needs of children and adolescent but are also fundamental rights.

Investing in children and recognizing their rights will yield enormous returns and priceless impacts on the society. The protection of children's rights would help meet their basic needs and to expand their opportunities to reach their full potentials.

The Child's Rights law must guarantees that in every programme, policy or legislation concerning the Edo child, the best interests of the child shall be the primary consideration. The Edo child deserves such protection and care as are necessary for his well being.

The child occupies a unique privileged position in the society. For the full and harmonious development of his personality, the child should grow up in a family environment in an atmosphere of happiness love and understanding.

Children's rights cannot be guaranteed in the absence of a Child Rights Law in place.

The Child's Rights Law must ensure that:

- (a) children have access to good education, quality health, social and legal services to provide necessary assistance;
- (b) prohibit all forms of discrimination and abuses against children;

- (c) ensure that the perpetrators of violence against children are held accountable and brought to justice;
- (d) develop effective data collection and information systems to track progress and inform policy and programming at all levels;
- (e) ensure that children's participation in the prevention of abuses against them is supported and their views heard and protected;
- (f) re-affirm the inalienable rights of children to full respect of their human dignity and physical integrity and the obligations of States to protect them;
- (g) ensure the realization of the Millennium Development Goals;
- (h) set rules and standards for the protection of child's rights;
- (i) eliminate child labour and all forms of violence against children;
- (j) have the firm conviction that all children and adolescents should have the means and maximum opportunities to develop their full potentials;
- (k) emphasize the core principles such as non-discrimination; devotion to the best interests of the child; the right to life, survival and development and respect the views of the child..

### **Benefits of the Child Rights Law**

- (1) The Child Rights Law will guarantee the Edo State Child the rights to survival, development, participation and protection.
- (2) The Child Rights Law will set out the rights and responsibilities of the Edo Child and provide a system of justice administration, care and supervision of the child.
- (3) The Child Rights Law will address the basic necessities and other yearning needs of the Edo Child.

- (4) The Child Rights Law would set minimum entitlements and freedoms that should be respected by governments.
- (5) The Child Rights Law would explicitly spell out the basic human rights which children everywhere should have e.g. the rights to survival; develop to the fullest; to protection from harmful traditional practices, abuse and exploitation to participate fully in family, cultural and social life.
- (6) The Child Rights Law sets standards in health care, education and legal and social services.
- (7) The Child's Rights law creates the legal framework through which the governments satisfy the needs of children.
- (8) The Edo State government cannot be said to recognize the rights of children until it is incorporated in a written law.
- (9) The Child Rights Law outlines government's responsibility in enforcing laws and protecting rights of children.
- (10) The Child Rights Law provides for prompt and effective remedies for infringement of child's rights. It is trite law that nobody can be punished for an offence that is not incorporated into a written law.

## **CONCLUSION**

The wind of change blowing across the globe is towards according due recognition to the rights and best interests of the child. Edo State of Nigeria cannot be an exception to this worthy global initiative. The passing of the Child's Rights Law in Edo State is long and overdue in view of its overwhelming importance.

The overwhelming importance of the Child's Rights Law in Edo State renders it imperative for our dear Edo state House of Assembly to muster the necessary political will to pass this long and overdue law without further delay.

The federal legislation i.e. Child Rights Act passed in 2003 can be adapted to suit or local, social and cultural peculiarities in Edo State. Edo State as a pace setter cannot afford to lag behind.

**PASS THE CHILD RIGHTS LAW NOW.**

**LONG LIVE THE NETWORK FOR JUSTICE AND DEMOCRACY**

**LONG LIVE EDO STATE. LONG LIVE THE FEDERAL REPUBLIC OF NIGERIA.**

**SIGNED**

Olaide Gbadamosi Esq  
Executive Director  
For; Network for Justice and Democracy