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INTERNATIONAL LEGAL MECHANISMS AGAINST FORCED LABOUR: ISSUES AND CHALLENGES OF IMPLEMENTATION IN NIGERIA

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Abstract

Forced labour remains a critical human rights concern in Nigeria despite Nigeria's ratification of several international and regional legal instruments aimed at its eradication. The persistence of coercive labour practices, especially within the informal economy, is exacerbated by socio-economic vulnerabilities, outdated domestic legislation, and weak institutional enforcement mechanisms. This study investigates the effectiveness of international legal mechanisms such as the ILO Conventions Nos. 29 and 105, the Palermo Protocol, and regional instruments such as the African Charter and ECOWAS standards against the backdrop of Nigeria's implementation gaps. Using a doctrinal legal research methodology supplemented by content analysis of secondary data from official reports and scholarly literature, this paper identifies substantial deficits in law enforcement, regulatory coherence, and victim protection. The findings reveal that while Nigeria has made formal commitments, practical implementation is hindered by legal fragmentation, limited labour inspection, and inadequate social protection systems. This study recommends legislative reform, ratification of outstanding protocols, increased institutional funding, and the development of a national action plan. It concludes that bridging the gap between normative commitments and enforcement practice is essential for eliminating forced labour and advancing decent work. This paper seeks to contributes to existing scholarship by providing an integrated analysis of international obligations and national challenges, offering actionable pathways for reform.

Keywords: Decent Work, Forced Labour, Human Rights, International Law, Nigeria

1.1 Introduction

Forced labour, as defined by the International Labour Organization (ILO), refers to "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."[1] This definition, embedded in the ILO Forced Labour Convention, 1930 (No. 29), has been the foundation for a global consensus on the illegality and immorality of coerced labour. Despite nearly universal ratification of this standard, forced labour continues to affect more than 27.6 million people globally as of 2021, with significant prevalence in developing countries like Nigeria.[2]

Nigeria, as a signatory to key international instruments addressing forced labour and human trafficking, has enacted various legal and institutional frameworks to combat the issue. It has ratified the ILO Conventions No. 29, No. 105, and No. 182, along with the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol).[3] These commitments have been domesticated through national legislation, including the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015, the Labour Act Cap L1 LFN 2004, and the Child Rights Act 2003. However, Nigeria has not ratified the 2014 Protocol to the Forced Labour Convention, which introduces more robust obligations for prevention, protection of victims, and access to remedies.[4] The

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[1] ILO, *Forced Labour Convention* (No 29) 1930, art 2(1).
[2] ILO and Walk Free Foundation, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (2022) 10.
[3] ILO NORMLEX, 'Ratifications by Country: Nigeria' https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103259 accessed 1 May 2025.
[4] ILO NORMLEX, 'Ratifications of the Protocol of 2014 to the Forced Labour Convention (P029)' https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:3174672 accessed 1 May 2025.

failure to ratify this contemporary framework underscores persistent gaps between normative commitments and actionable implementation.

Recent data from the Nigeria Child Labour and Forced Labour Survey 2022 ESTIMATES that over 617,000 individuals are currently subjected to forced labour across different sectors, with particularly high prevalence in agriculture (41.1%) and the service economy (36.9%).[5] Moreover, the incidence of coercion including withheld wages, contract fraud, and lack of freedom to leave employment is widespread, especially among men, youth, and urban residents.[6]

This research investigates the extent to which international legal frameworks against forced labour have been effectively implemented in Nigeria. It critically analyses legal, institutional, economic, and socio-political barriers that hinder enforcement, and evaluates existing State responses. Through doctrinal analysis and policy critique, this study seeks to offer evidence-based recommendations aimed at improving Nigeria's compliance with its international obligations and strengthening protections against forced labour. By situating the Nigerian case within the broader context of global labour governance, by so doing this research seeks to contribute to understanding on how legal mechanisms can be operationalized more effectively in fragile socio-economic settings.

1.2 Conceptual and Legal Foundations

1.2.1 Concept of Forced Labour

The concept of forced labour has evolved from early understandings of slavery to include a broader range of exploitative labour practices. According to the ILO, forced labour is defined as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered

[5] National Bureau of Statistics and ILO, *Forced Labour in Nigeria - At a glance* (NBS/ILO 2024) 2–3 https://www.ilo.org/sites/default/files/2024-04/Nigeria_Forced_Labour_Survey_2022_Factsheet_WEB .pdf accessed 3 May 2025.
[6] ibid, 4-6.

himself voluntarily."[7] This definition is expansive enough to include modern manifestations such as bonded labour, coercive recruitment, trafficking for labour exploitation, and situations where individuals are compelled to work under threat of retaliation or physical harm.[8] Forced labour exists along a continuum of exploitative labour, with the element of involuntariness whether through threat, deception, or coercion serving as the distinguishing factor from freely chosen employment.[9]

In contemporary Nigeria, forced labour manifests in many contexts ranging from rural agricultural servitude, domestic work, and street hawking to coerced employment in urban informal sectors.[10] It is also closely linked to other criminal practices such as human trafficking, child exploitation, and debt bondage. These interconnections often blur the boundaries between labour law violations and criminal offences, creating enforcement complexities for domestic institutions.

1.2.2 The Decent Work Framework

Forced labour not only violates basic human rights but also undermines the ILO's concept of *decent work*, which the organisation defines as "productive work for women and men in conditions of freedom, equity, security and human dignity."[11] The Decent Work Agenda launched in 1999 rests on four strategic pillars: the promotion of rights at work, employment creation, social protection, and social dialogue.[12] Within this framework, forced labour is not merely an infringement

[7] ILO, *Forced Labour Convention* (n 1) art 2(1).
[8] Ugochukwu Ugwumba Ikeije and others, 'Forced Labour and Decent Work Deficit in Nigeria: X-Raying International Labour Organization's Conventions and Protocols' (2025) 2(1) *Journal of Functional Education* 4.
[9] Bonnie Ayodele and others, 'Implementation of ECOWAS Plan of Action Against Trafficking in Persons (2018-2022) in Nigeria: An Appraisal' (2024) 5(3) *Indiana Journal of Humanities and Social Sciences* 25.
[10] National Bureau of Statistics and ILO (n 5) 3-4.
[11] ILO, *Decent Work and the 2030 Agenda for Sustainable Development* (ILO 2017) 2.
[12] ibid; see also Ikeije and others (n 8) 8.

on individual freedom but a systemic barrier to achieving fair, stable, and equitable labour conditions.

Decent work deficits are especially pronounced in informal labour markets in Nigeria, where workers face hazardous conditions, low or irregular wages, and no social protection.[13] These conditions often characterised by the absence of contract transparency, wage security, or grievance mechanisms render workers highly susceptible to coercion. Thus, addressing forced labour necessarily involves tackling broader structural deficiencies in the Nigerian labour market, particularly informality and economic vulnerability.[14]

1.2.3 International Legal Instruments Addressing Forced Labour

At the global level, the legal architecture for addressing forced labour is anchored on a set of core ILO conventions. These include the *Forced Labour Convention, 1930 (No. 29)*, which mandates the suppression of forced or compulsory labour in all its forms, and the *Abolition of Forced Labour Convention, 1957 (No. 105)*, which prohibits the use of any form of forced labour for political coercion, economic development, or as a disciplinary measure.[15] Nigeria ratified both instruments in 1960.[16]

A more recent and crucial instrument is the *Protocol of 2014 to Convention No. 29*, which introduces specific obligations to prevent forced labour, protect victims, and provide access to remedies.[17] While this Protocol modernises international standards in line with contemporary challenges such as trafficking and informal

[13] Ikeije and others (n 8) 12-13.
[14] Ayodele and others (n 9) 27; See also International Labour Organization, 'Decent Work Deficits in the Nigerian Informal Economy' (2015) https://www.ilo.org/sites/default/files/wcmsp5/groups/ public/%40africa/%40ro-abidjan/%40ilo-abuja/documents/publication/wcms_458263.pdf accessed 5 May 2025.
[15] ILO, *Forced Labour Convention* (n 1) art 2(1); ILO, *Abolition of Forced Labour Convention* (No 105) 1957, art 1.
[16] ILO NORMLEX (n 3).
[17] ILO, *Protocol of 2014 to the Forced Labour Convention, 1930*, arts 1-4.

sector abuse, Nigeria has not yet ratified it constituting a notable deficiency in Nigeria's legal commitment.[18]

Beyond the ILO, the United *Nations'* Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) addresses forced labour in the context of transnational crime.[19] Nigeria ratified the Protocol in 2001 and has incorporated its provisions into domestic law, particularly the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015.[20] These instruments form part of the broader goal articulated in Sustainable Development Goal 8.7, which calls on states to "take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking."[21]

1.2.4 Regional Instruments against Forced Labour

In addition to global conventions, Nigeria is also bound by a number of regional instruments that address forced labour within Africa. Chief among these is the African Charter on Human and Peoples' Rights (ACHPR), adopted in 1981 and ratified by Nigeria in 1983. Article 5 of the Charter prohibits "all forms of exploitation and degradation of man," expressly including "slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment."[22] Although forced labour is not mentioned explicitly, this provision has been interpreted

[18] ILO NORMLEX (n 4).

[19] UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons*, supplementing the United Nations Convention Against Transnational Organized Crime (2000), art 3.

[20] Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015, ss 13-27.

[21] UNGA, *Transforming our world: the 2030 Agenda for Sustainable Development* A/RES/70/1 (21 October 2015), Goal 8.7.

[22] African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) (1982) 21 ILM 58, art 5.

broadly by the African Commission on Human and Peoples' Rights to include contemporary forms of coercive labour practices.[23]

Despite its binding nature, the Charter's enforceability in Nigerian courts is weak due to the non-justiciable character of many socio-economic rights and the lack of domestic legislation fully incorporating its provisions. Although the National Human Rights Commission Act makes reference to the Charter, its invocation in Nigerian jurisprudence, especially in labour rights litigation, remains rare.[24]

The African Charter on the Rights and Welfare of the Child (ACRWC), also ratified by Nigeria, adds to regional efforts against forced labour, particularly in the context of child labour. Article 15 of the ACRWC mandates state parties to take effective legislative and administrative measures to prevent the economic exploitation of children and their engagement in hazardous work.[25] This Charter in particular is very relevant given Nigeria's persistent struggle with child servitude, especially in rural and northern regions where the Child Rights Act 2003 has not been fully domesticated.[26]

At the sub-regional level, the Economic Community of West African States (ECOWAS) has adopted several protocols and policy frameworks that address labour exploitation and trafficking. Notably, the ECOWAS General Labour Standards (2018) and the ECOWAS Plan of Action against Trafficking in Persons (2018–2022) commit member states to the eradication of forced labour and provide policy guidance on victim protection, labour inspection, and cooperation

[23] African Commission on Human and Peoples' Rights, *Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights* (2011) para 66.

[24] National Human Rights Commission Act 1995 (as amended by the NHRC Amendment Act 2010), s 12; Constitution of the Federal Republic of Nigeria 1999 (as amended), Ch II.

[25] African Charter on the Rights and Welfare of the Child (adopted 11 July 1990, entered into force 29 November 1999) OAU Doc CAB/LEG/24.9/49 (1990), art 15.

[26] International Labour Organization and National Bureau of Statistics, *Nigeria Forced Labour Survey 2022: Factsheet* (2024) 3–4 https://www.ilo.org/africa/information-resources/publications/WCMS_909085/ lang--en/index.htm accessed 4 May 2025.

among member states.[27] However, these frameworks are largely soft law instruments and have not been transformed into enforceable national obligations. Moreover, the ECOWAS free movement regime while facilitating labour mobility also potentially increases vulnerability to cross-border exploitation, particularly where regulatory oversight is weak.

In practice, Nigeria's engagement with these regional instruments is limited to formal ratification, with little evidence of active implementation or harmonisation with domestic labour and anti-trafficking laws. Institutional knowledge of these instruments remains low among enforcement bodies, and legal practitioners rarely invoke them in litigation involving forced labour or human trafficking. Regional courts such as the ECOWAS Court of Justice offer some potential for enforcement, but their jurisdiction is narrowly construed and rarely used in labour-related claims unless framed as human rights violations.

1.3 Nigeria's Legal and Institutional Commitments

1.3.1 Ratification of Key International Instruments

Nigeria has ratified several core international legal instruments addressing forced labour. These include the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105), both of which were ratified on 17 October 1960.[28] These conventions form the foundation of international standards prohibiting forced and compulsory labour in all forms, whether imposed by the state or private actors. Nigeria also ratified the Worst Forms of Child Labour Convention, 1999 (No. 182) in 2002, which extends protections to children engaged in hazardous or exploitative work.[29] These

[27] Ayodele and others (n 9) 25-26.
[28] ILO NORMLEX (n 3).
[29] ILO, *Worst Forms of Child Labour Convention* (No 182) 1999, art 3.

conventions bind Nigeria to adopt legislative, administrative, and enforcement measures to eliminate forced labour and protect victims.

In addition to these, Nigeria ratified the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) on 28 June 2001.[30] The Palermo Protocol, while framed primarily in the context of transnational organized crime, mandates state parties to criminalise human trafficking for forced labour and ensure victim assistance. However, a significant gap remains: Nigeria has not ratified the 2014 Protocol to the Forced Labour Convention, which imposes modern obligations on states, including preventive measures, access to remedies, and enhanced victim protection.[31] This omission weakens Nigeria's alignment with evolving international standards and leaves national enforcement regime without key tools for victim-centred intervention.

1.3.2 Domestic Legal Framework

Nigeria has domesticated many of its treaty obligations through national legislation. Chief among these is the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015 (TIPPEA Act), which criminalises trafficking for the purpose of labour exploitation, including forced labour, and provides for victim protection, prosecution, and institutional coordination.[32] In addition, the Labour Act Cap L1 LFN 2004 regulates the conditions of employment and prohibits forced or compulsory labour under section 73.[33] Also, the Child Rights Act 2003 prohibits the use of children in exploitative or hazardous work. Despite these instruments, their enforcement is hampered by

[30] United Nations Treaty Collection, 'Protocol to Prevent, Suppress and Punish Trafficking in Persons' https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-12-a&chapter=18 accessed 3 May 2025.
[31] ILO NORMLEX (n 4).
[32] Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015, ss 13-27.
[33] Labour Act Cap L1 LFN 2004, s 73.

structural, institutional, and operational shortcomings, particularly in the informal sector, where most forced labour occurs.[34]

The 1999 Constitution of the Federal Republic of Nigeria also provides constitutional support for the prohibition of forced labour. Section 34(1)(c) expressly states that "no person shall be required to perform forced or compulsory labour."[35] However, the Constitution does not define what constitutes forced labour, and this leaves interpretive gaps that weaken enforcement in practice. For instance, the exemption of "labour required in consequence of a court sentence" under section 34(2) has raised human rights concerns when applied without safeguards.[36] Moreover, while these laws prohibit forced labour, Nigeria's legal framework lacks a single, comprehensive definition of forced labour that fully aligns with modern ILO standards

1.3.3 Institutional Mechanisms

Several institutions are tasked with implementing Nigeria's anti-forced labour obligations. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) serves as the lead agency for investigating, prosecuting, and rehabilitating victims of trafficking and forced labour. NAPTIP operates in line with its mandate under the TIPPEA Act and maintains regional offices across the country.[37] However, studies have highlighted limitations in NAPTIP's coverage, operational budget, and prosecutorial capacity.[38] In many rural and informal contexts where forced labour is prevalent, NAPTIP has limited visibility and enforcement reach.

[34] Child's Rights Act 2003, s 28; Ikeije and others (n 8) 12.
[35] Constitution of the Federal Republic of Nigeria 1999 (as amended), s 34(1)(c).
[36] ibid s 34(2).
[37] Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015, ss 2, 5, 13, 33; NAPTIP, 'NAPTIP Service Charter' https://naptip.gov.ng/download/naptip-service-charter/ accessed 27 April 2025.
[38] Ayodele and others (n 9) 28.

The Federal Ministry of Labour and Employment, through its Labour Inspectorate Department, is responsible for workplace inspections and monitoring compliance with labour standards. Yet, there are reports that Nigeria's labour inspection system suffers from underfunding, limited staffing, and outdated operational tools.[39] Additionally, civil society organisations (CSOs), such as WOTCLEF and the Network of CSOs Against Child Trafficking, Abuse and Labour (NACTAL), contribute to victim advocacy and monitoring but often face challenges related to coordination, funding, and data sharing.

Trade unions, including the Nigeria Labour Congress (NLC) and Trade Union Congress (TUC), are legally empowered to represent workers and advocate for better working conditions. However, their reach into the informal sector where most forced labour takes place is extremely limited.[40] The same applies to judicial enforcement, where the few court decisions addressing forced labour or trafficking lack the volume and precedential weight needed to strengthen jurisprudence in this area.[41]

1.4 Current Trends and Realities of Forced Labour in Nigeria

Despite Nigeria's ratification of several international instruments against forced labour—including the ILO Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105), force labour remains deeply entrenched in Nigeria's labour space. The most recent comprehensive data from the *Nigeria Child Labour and Forced Labour Survey 2022*, conducted by the National Bureau of Statistics (NBS) in collaboration with the International Labour Organization (ILO), confirms a disturbing persistence of involuntary work arrangements across various economic sectors and demographic groups.

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[39] Victor Akhidenor, 'Ministry of Labour: Gap and Opportunities Analysis' (The Cable, 18 January 2021) https://www.thecable.ng/ministry-of-labour-gap-and-opportunities-analysis/ accessed 1 May 2025.

[40] Ikeije and others (n 8) 15.

[41] Ayodele and others (n 9) 28.

According to the survey, an estimated 617,503 individuals were in forced labour in 2022, representing a prevalence rate of 5.9 per 1,000 persons in the labour force. Notably, men were disproportionately affected, 7.8 per 1,000 men compared to 2.7 per 1,000 women. The data also reveals higher prevalence among adults aged 30–49 years (317,052 individuals) and in urban areas (270,545 individuals), suggesting a strong correlation between economic marginalisation in populous areas and exploitative work conditions. The agricultural sector alone accounts for 41.1% of all reported cases, followed closely by services (36.2%) and manufacturing (17.1%).[42]

Importantly, the underlying mechanics of forced labour in Nigeria varies with a significant proportion of victims 29.7% reported having no freedom or only limited freedom to terminate their work contract. Moreover, 26.7% indicated being forced to work beyond agreed terms without their consent, while 35.2% of all victims experienced withheld wages or delayed benefits. These findings are clear indicators of coercion, debt bondage, and exploitation that fall within the definition of forced labour under ILO Convention No. 29.[43]

Educational attainment does not appear to offer significant protection. While prevalence was highest among individuals with only primary education (7.2 per 1,000), forced labour was also recorded among those with post-secondary qualifications (4.6 per 1,000), pointing to systemic economic vulnerabilities beyond mere illiteracy. The risks are compounded for individuals from indebted households, where the prevalence rose to 11.6 per 1,000, and among those from households that received social benefits, suggesting inefficiencies in Nigeria's social protection mechanisms.[44]

[42] National Bureau of Statistics and ILO (n 5).
[43] ibid 6-7.
[44] ibid 5-6.

The informal economy plays a particularly significant role in perpetuating forced labour. It comprises over 80% of Nigeria's total employment and is marked by weak regulatory oversight, absence of formal contracts, and non-enforcement of existing labour laws. Employers often flout legal requirements such as those in the Employees' Compensation Act 2010 and the Pension Reform Act 2014. Consequently, most workers lack access to basic protections such as health insurance, pension contributions, and legal redress.[45] Trade unions face barriers to organizing in this space, resulting in a collective bargaining vacuum and further entrenching exploitative labour practices.[46]

Children and youth are not spared. Evidence shows that minors constitute a substantial proportion of forced labour victims estimated at around 40% in some reports.[47] Children are frequently engaged in hazardous sectors such as mining, domestic work, and street hawking, often under the guise of apprenticeships or familial obligations. These practices violate both domestic law and international treaties to which Nigeria is a party to, including the ILO Convention No. 182 on the Worst Forms of Child Labour and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.[48]

Geographical disparities are also evident. Northern Nigeria, particularly the North-East, reports higher incidence rates due to a combination of poverty, insecurity, and internal displacement. In conflict-affected areas, forced labour intersects with trafficking and sexual exploitation, creating significant humanitarian and legal challenges that Nigerian institutions are often ill-equipped to manage effectively.[49]

[45] Ikeije and others (n 8) 9-10.
[46] ibid.
[47] ibid 8.
[48] ILO Convention No 182 (Worst Forms of Child Labour Convention, 1999); UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000).
[49] Ikeije and others (n 8) 18.

1.5. Challenges to Implementation in Nigeria

1.5.1 Legal and Policy Gaps

One of the most conspicuous legal deficiencies in Nigeria's fight against forced labour is Nigeria's non-ratification of the 2014 Protocol to the Forced Labour Convention, 1930, which introduces critical modern obligations such as victim protection, access to remedies, and preventive strategies. While Nigeria has ratified foundational conventions like ILO Nos. 29 and 105, failure to endorse the 2014 Protocol reflects a gap in normative commitment to contemporary labour protection standards. This omission weakens the legislative arsenal available to combat coercive labour practices in evolving contexts such as trafficking and informal labour.[50]

Additionally, Nigeria's Labour Act Cap L1 LFN 2004 remains outdated. Although it prohibits forced labour under section 73, the Act does not account for modern indicators of coercion such as recruitment fraud, wage manipulation, or work without legal contract. It is also largely inapplicable to the informal sector, where most forced labour is concentrated. The absence of clear enforcement provisions and grievance mechanisms significantly hampers worker access to justice.[51]

Further legal fragmentation is evident in child protection regimes, which are unevenly implemented across states. Although the Child Rights Act 2003 criminalises child labour and exploitation, several northern states have not domesticated it, creating a jurisdictional vacuum for enforcement.[52] These

[50] ILO, *Protocol of 2014 to the Forced Labour Convention, 1930* (n 17); National Bureau of Statistics and ILO (n 5) 1.

[51] Labour Act Cap L1 LFN 2004, s 73; Ikeije and others (n 8) 10-11.

[52] Child Rights Act 2003, s 28(1); See also Human Rights Commission, *Protection of the Rights and Dignity of Almajiri Children in COVID-19 Response* (29 May 2020) https://www.nigeriarights.gov.ng/nhrc-media/press-release/110-protection-of-the-rights-and-dignity-of-almajiri-children-in-covid-19-response.html accessed 2 May 2025.

discrepancies between federal and state legislation foster impunity in regions where socio-cultural norms enable child servitude.

1.5.2 Weak Institutional Capacity

Effective enforcement of anti-forced labour norms is further hindered by limited institutional capacity, particularly among labour inspection bodies and NAPTIP. The Labour Inspectorate Department within the Ministry of Labour is plagued by inadequate funding, poor staffing, and limited reach, especially in rural or informal work settings. Consequently, inspections are irregular, and follow-up actions are rarely pursued[53].

NAPTIP, while statutorily empowered to address labour trafficking and exploitation, suffers from resource constraints, operational silos, and insufficient inter-agency coordination. As a result, its interventions are reactive rather than preventive. Moreover, corruption and collusion by law enforcement agents including allegations of bribery and protection of exploitative employers further erode institutional credibility[54].

Another institutional challenge is the paucity of disaggregated data on forced labour. National surveys are infrequent and often exclude crucial indicators such as psychological coercion or gender-based exploitation, limiting the ability of policymakers to tailor targeted responses.

1.5.3 Informal Economy and Labour Market Dynamics

Nigeria's highly informalised economy, accounting for over 80% of employment, presents formidable barriers to regulatory enforcement. The majority of informal jobs lack written contracts, social protection, or recourse mechanisms, thus

[53] Akhidenor (n 39).

[54] Ikeije and others (n 8) 13; US Department of State, *Trafficking in Persons Report* (2023) Nigeria section.

creating conditions ripe for exploitation. The Labour Act's limited coverage means that informal workers are typically excluded from statutory protections.[55]

The situation is further worsened by exploitative subcontracting chains, particularly in agriculture, construction, and domestic services. Employers often outsource labour recruitment to intermediaries who impose hidden fees or coerce workers through debt bondage and threat of dismissal[56]. These outsourcing arrangements obscure accountability and frustrate enforcement of international and national labour standards.

1.5.4 Social and Economic Drivers

Poverty, indebtedness, and low educational attainment remain major drivers of forced labour in Nigeria. The 2022 survey found that 11.6 per 1,000 persons from indebted households were in forced labour compared to 4.9 per 1,000 from debt-free households. Similarly, individuals with only primary education were disproportionately represented among victims.[57] These figures suggest that forced labour in Nigeria is not merely a criminal issue but a structural response to socio-economic vulnerability.

Gender norms and harmful traditional practices in Nigeria, particularly in rural and northern communities, significantly contribute to the perpetuation of forced labour, especially among women and children. A notable example is the Almajiri system in Northern Nigeria, where boys are sent away from home ostensibly for Qur'anic education but often end up engaging in street begging, unpaid menial work, or servitude under coercive and exploitative conditions amounting to forced labour. Similarly, cultural expectations around domestic responsibilities often subject girls and young women to exploitative domestic servitude under the guise of fostering, apprenticeship, or traditional obligations. These individuals are

[55] Ikeije and others (n 8) 8-9.
[56] National Bureau of Statistics and ILO (n 5) 4.
[57] ibid 5-6.

frequently deprived of freedom of movement, fair remuneration, and legal protection, working under conditions that violate both international labour standards and basic human rights. These practices persist largely because they are cloaked in cultural legitimacy and reinforced by gendered expectations of obedience, subservience, and duty. The invisibility of this form of exploitation particularly when it occurs in private households or religious domains compounds the difficulty of detection and redress.[58]

Meanwhile, social protection systems remain underdeveloped and poorly targeted. Surprisingly, the 2022 data revealed that individuals from households receiving state social benefits had a higher forced labour prevalence (6.8 per 1,000) than those without (5.1 per 1,000), suggesting inefficiencies in benefit targeting and delivery[59]. Also, labour representation remains weak, with trade unions unable to organise informal workers or advocate meaningfully in unregulated sectors.

1.5.5 Political Will and Governance

The final but probably most significant barrier is the lack of consistent political will to implement anti-forced labour treaties and policies. Despite Nigeria's ratification of numerous international instruments, enforcement remains sporadic and reactive, often driven by donor attention rather than a sustained national commitment. Government programmes on forced labour are frequently excluded from broader national development or security strategies, limiting their institutional priority.[60]

[58] Ikeije and others (n 8) 2(1) 12-13; National Human Rights Commission (n 52); Anti-Slavery International, *Shackled to the Past: Thematic Report on Forced Child Begging and Child Domestic Work in Nigeria* (2020) https://www.antislavery.org/wp-content/uploads/2020/12/Shackled-to-the-past-Nigeria-FCB-report-Web-version.pdf accessed 3 May 2025; Walk Free, 'Modern Slavery in Nigeria' (2023) https://www.walkfree.org/global-slavery-index/country-studies/nigeria/ accessed 3 May 2025.

[59] ibid 6.

[60] Ikeije and others (n 8) 14-15.

Furthermore, civil society engagement in anti-forced labour governance is limited by regulatory bottlenecks and shrinking civic space. CSOs that work on labour rights often struggle with funding and regulatory compliance, making it difficult for them to scale up advocacy or monitoring efforts. Public awareness remains low, and forced labour is not sufficiently addressed in educational curricula, media programming, or religious platforms that shape public attitudes.[61]

In essence, Nigeria's implementation challenges are numerous, cutting across legal, institutional, economic, and political domains. While the normative frameworks are largely in place, the gap between ratification and realisation remains substantial.

1.6. Conclusion

To effectively address the persistent challenges of forced labour in Nigeria and bridge the implementation gaps in international legal mechanisms, series of coherent and well thought out approach is required. The following recommendations are grounded in evidence from recent data and legal frameworks, and they are structured to address institutional, legislative, socio-economic, and enforcement-related barriers.

1.6.1 Strengthen Enforcement Mechanisms and Institutional Capacity

Despite Nigeria's ratification of key international instruments including ILO Conventions No. 29 and No. 105, enforcement remains weak due to institutional deficits, limited funding, and bureaucratic inertia. It is imperative that government prioritises the operational capacity of key institutions such as the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), the Federal Ministry of

[61] Nigeria Labour Congress, 'Reclaiming the Civic Space in the Midst of Economic Hardship' (2025 Pre-May Day Lecture, 1 May 2025) https://tribuneonlineng.com/may-day-workers-in-nigeria-facing-harrowing-situation-nlc-laments/ accessed 4 May 2025; International Labour Organization, 'Civil Society Organizations and Labour Migration in Nigeria: Learning from the FAIRWAY Global Programme' (ILO Brief, 2023) https://www.ilo.org/publications/civil-society-organizations-and-labour-migration-nigeria-learning-fairway accessed 4 May 2025.

Labour and Employment, and labour inspectorates. These agencies require adequate staffing, training, and logistical support to conduct effective monitoring, especially in high-risk sectors like agriculture and domestic service, which collectively accounted for more than 73% of forced labour cases in 2022.[62]

1.6.2 Domestication and Ratification of Outstanding International Instruments

Nigeria has not ratified the 2014 Protocol to the ILO Forced Labour Convention, which introduces specific obligations on prevention, victim protection, and access to remedy.[63] Ratification of this Protocol is imperative, as it would offer a more holistic legal framework and align Nigeria's national laws with evolving international standards. Also, Nigeria must ensure full domestication and harmonisation of all ratified instruments to eliminate fragmentation in its anti-forced labour legal regime.[64]

1.6.3 Reform and Expand the Legal Framework on Forced Labour

Although the Nigerian Labour Act and the Trafficking in Persons (Prohibition) Enforcement and Administration Act provide statutory backing against forced labour, they are inadequate in scope and outdated in language.[65] The law should be reformed to expand the definition of forced labour to include coercive recruitment practices and exploitative subcontracting. It should also introduce mandatory human rights due diligence obligations on corporations operating within high-risk industries such as mining, construction, and domestic work.[66]

[62] National Bureau of Statistics and ILO, (n 5) 2–3.
[63] ILO NORMLEX (n 4).
[64] Ikeije and others (n 8) 16-17.
[65] Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015, ss 13-16; Labour Act Cap L1 LFN 2004.
[66] Ikeije and others (n 8) 9–11.

1.6.4 Enhance Social Protection and Economic Empowerment

The root causes of forced labour—particularly poverty and household indebtedness—must be tackled through long-term structural interventions. Data from the 2022 Forced Labour Survey shows that 11.6 of every 1,000 individuals from indebted households are in forced labour, compared to just 4.9 per 1,000 from non-indebted households.[67] Government social protection programmes must therefore be more effectively targeted, with priority given to vulnerable households through conditional cash transfers, employment schemes, and access to microcredit.[68]

1.6.5 Foster Multi-Stakeholder and International Collaboration

The Nigerian government must partner more closely with civil society, private sector stakeholders, and international organisations such as the ILO and IOM. Effective collaboration can enable the establishment of corporate accountability frameworks in global supply chains and help ensure that policies and interventions are victim-centred.[69] Such partnerships would also facilitate better compliance with international norms and provide technical support for implementation.

1.6.6 Invest in Public Awareness and Rights Education

Lack of awareness among both workers and employers contributes to the persistence of exploitative labour practices. Government-led public education campaigns in local languages, particularly in rural areas and informal sectors, are essential. These should aim to educate citizens on their rights under domestic and

[67] National Bureau of Statistics and ILO (n 5) 5.
[68] Ikeije and others (n 8) 13–14.
[69] ILO, *Ending Child Labour, Forced Labour and Human Trafficking in Global Supply Chains* (2021) 14–17 https://www.ilo.org/publications/ending-child-labour-forced-labour-and-human-trafficking-global-supply accessed 2 May 2025.

international labour laws, while simultaneously discouraging cultural practices that perpetuate servitude and child exploitation.[70]

1.6.7 Develop a National Action Plan on Forced Labour and Decent Work

There is a need for Nigeria to develop a comprehensive National Action Plan (NAP) on Forced Labour and Decent Work, similar to those adopted by other ILO member states. A well-coordinated NAP would clarify institutional roles, set measurable targets, and guide national implementation efforts over a defined timeline.[71] This would ensure policy coherence and reduce duplication among ministries and agencies.

1.6.8 Promote Access to Justice and Remedy for Victims

Victims of forced labour often lack the resources or trust to pursue justice. To change this, Nigeria must enhance access to legal aid, establish state-supported rehabilitation centres, and develop a victim compensation fund. These mechanisms must be accessible, adequately funded, and trauma-informed, in line with the 2014 ILO Protocol's emphasis on remedies and reintegration.[72]

1.6.9 Mainstream Labour Rights into Education Curricula

The inclusion of labour rights education in the national curriculum at both primary and secondary levels can cultivate a culture of human dignity and social justice. This recommendation aligns with international best practices on rights education and is key to fostering long-term behavioural change in both employers and employees.[73]

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[70] Ikeije and others (n 8) 15-16.

[71] ILO, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (2022) 56 https://www.ilo.org/global/topics/forced-labour/publications/WCMS_854733/lang--en/index.htm accessed 4 May 2025.

[72] Protocol of 2014 to the Forced Labour Convention, 1930, P029, art 4.

[73] The Danish Institute of Human Rights, *Guide on Human Rights Education Curriculum Development* (Global Citizenship Education Clearinghouse)

1.6.10 Strengthen Data Collection and Research

Reliable, disaggregated data is vital to understand the dynamics of forced labour and evaluate the impact of interventions. The 2022 Forced Labour Survey is a commendable initiative, but it should be institutionalised as a recurring national exercise.[74] Research partnerships with universities, NGOs, and international bodies should also be encouraged to ensure continuous evidence-based policy development.

In conclusion, forced labour remains a pervasive violation of fundamental human rights in Nigeria, despite Nigeria's ratification of core international and regional instruments aimed at its abolition. The persistence of this practice manifesting through exploitative working conditions, trafficking, child servitude, and coercive economic arrangements underscores the gulf between legal commitments and practical enforcement. While Nigeria has adopted a comprehensive array of international conventions, including ILO Conventions Nos. 29 and 105, and has made regional commitments under the African Charter and ECOWAS frameworks, implementation is hindered by legislative gaps, institutional weaknesses, and socio-economic vulnerabilities.

This paper has demonstrated that effective elimination of forced labour in Nigeria requires more than legal ratification, also necessary are systemic reforms across enforcement, legal harmonisation, social protection, and awareness creation. Regional and international instruments provide a robust framework, but without coordinated domestic execution, their impact remains limited. Bridging this gap is essential not only for the protection of human dignity but also for fulfilling Nigeria's obligations under international law and advancing the broader goals of decent work, equity, and sustainable development.

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https://www.gcedclearinghouse.org/sites/default/files/resources/HRE%20Guidance%20Note%20on%20HRE%20Curriculum%20Development.pdf accessed 5 May 2025.

[74] National Bureau of Statistics and ILO (n 5) 1–2.