

Evaluation of Implementation of the Girl-Child Act in Universal Basic Education in Bayelsa State of Nigeria

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Abstract

This paper examines the implementation of Girl-child act in Universal Basic Education in Bayelsa State of Nigeria and argues that the rights of the girl-child had been grossly violated in the state. The international instruments and bill of rights that led to most other local and domestic instruments of rights and their relationship to the rights of the girl-child, were highlighted. The issue of rights and the Girl-child Act in Nigeria was also discussed. Universal Basic Education and the Girl-child, Government policy framework on the Girl-child and implementation of Girl-child rights in Nigeria were enumerated. The Bayelsa State Governments' efforts in implementing the Girl-child Act in the state, as well as collaborative efforts with international development partners had been extensively discussed. The various factors that ranges from early marriage, child labour, hawking, sexual exploitation, trafficking, various kinds of gender discriminations, etc. that affects the rights of the girl-child to education which are grave violations of human/child rights have been highlighted as well. Statistics in education in past decades which reveal low enrolments of girls causing gender gaps at education level have been discussed and updated with the progress in equitable access and gender parity in more recent education statistics. Various suggestions such as ensuring the rights of the girl child via increasing funds for education and, strong political will and commitments by governments and all stakeholders to educate inclusively and empower girls/women with life enhancing skills, etc. were put forward.

Keywords: Implementation, Act; Girl-child; Universal Basic Education, Bayelsa State.

INTRODUCTION

International instruments: the United Nations Charter(1945), United Nations Universal Declaration on Human Rights UDHR(1948), the United Nations International Covenants on Civil and Political Rights as well as Economic Social and Cultural Rights (1966) , the African Union(AU) Charter on the Rights and welfare of the Child (AUCRWC,1990),Convention on the Elimination of All Forms of Discrimination Against–Women (CEDAW,1979), United Nations Convention on the Rights of the Child (UNCRC,1990), 1991 Ouagadougou Pan African Declaration on Education for Women and girls; and Declarations: the Education for All, (EFA, 1990), Goals 2 & 5; Millennium Development Goals 2&3, (MDGs, 2000) and the Sustainable Development goals etc.; set the pace for appropriate

human development, peace and harmony with the earth and ourselves. Despite these instruments and Declarations, 10.5 million Nigerian children are out of school and about 60 percent are girls (UNICEF, 2014).

These girls suffer from lots of harms, insecurity and negative influences caused by some inherent socio-cultural, religious and socioeconomic factors etc. which deny her right to quality education, freedom, dignity, opportunities, peace, her well-being and self-worth, make her vulnerable and hinder her full development as a human person.

The Preamble UDHR 1948 states: “To recognize the dignity and the equal and true rights of all persons in the family is the beginning of freedom, fairness and peace in the world”. (UDHR, 1948, p.42)

Early in 1948, with the horrors of two world wars, and various anthropological incidents of gross violation of fundamental human rights in all nations a remarkable group of men and women gathered at the behest of the newly formed United Nations to draft the first “international bill of rights” (p.4). The distinguished members of this controversial commission set to work under the determined chairmanship of most extraordinary figures in American 20th Century history Eleanor Roosevelt. The document they crafted, the United Nations Universal Declaration of Human Rights of 1948, is the single most important reference point for cross-cultural discussion of human freedom and dignity in the world today. One can imagine the various harms and negative influences people of the world, most especially girls and women must have experienced during the world wars that invoked the creation or crafting of these noble treaties.

The UNCRC was signed into law by Nigeria on April 16th, 1991. These international legal instruments on human rights had formed the foundation of all forms of Bills on fundamental human rights now found in the Constitutions and laws of different nations and non-governmental organizations.

Nigeria is a signatory to many international and regional instruments, Protocols and Charters recognizing and pledging support for the application and enforcement of human rights which includes the rights of the girl-child in addition to the fundamental human rights provisions in its Constitution. The girl-child in Nigeria has inalienable rights that are recognized and are acknowledged globally as a member of the family. It is trite however that these rights have been and are still being violated by different persons and organizations for different reasons although the nature, extent and frequency of violations differ from place to place.

Various persons and groups in acknowledging the continued violations of the rights of the girl-child in Nigeria have called for the intervention of the government and international agencies to stem the ugly tide. For instance, Alemika et al, (2005) acknowledge that “certain traditional practices, stereotyping, cultural and religious beliefs still put the girl-child at the risk of abuse and neglect.” According to them “the foundation of all discriminations and violations against the girl-child are from the customs, traditions and wrong mind-set of the people of the society which see the girl-child and women as inferior beings.” Despite these persistent calls by various groups for measures to ensure that the girl-child’s rights are protected and not trifled with by government officials, individuals and even corporate entities, the challenges facing the application of the girl child’s rights in Nigeria remain very daunting.

It is true that all over the world there is no country that can boast of complete compliance with international standards and laws concerning the rights of the persons within its locale. However, the case of Nigeria in particular attracts closer scrutiny as rights long acknowledged and respected as fundamental and inherent in man elsewhere are still subjects of debate in our legislative houses.

The question then is, are the human rights of the girl-child as already recognized and provided by our laws really applied in Nigeria? If they are, why are the rights of the girl-child still violated in Bayelsa State of Nigeria? And how can legal instruments be galvanized to ensure that

they go beyond mere provisions in various instruments to be an effective tool in guaranteeing rights. This is the focus of this work which considers the issue of rights, examines recognized and recognizable girl-child rights in Nigeria, and the extent of implementation of these rights. This work while concluding that the issue of discrimination against the girl-child is live and unresolved in our society makes some recommendations on the way forward.

The Issue of Rights

Rights are critical to the happiness and enjoyment of human beings on planet earth while the protection of these rights forms the basis of organized statehood and limited government which is marked by mutual respect of each person's rights and the societal approval of agreed claims recognized and protected by law. They concern those privileges owed to people by others and which they are allowed by law to exercise. Rights are defined as "the aggregate of capacities, powers, liberties, and privileges by which a claim is secured." (Webster English Dictionary)

Accordingly, therefore, "rights dominate most modern understandings of what actions are proper and which institutions are just. Rights structure the forms of our government, the content of our laws...to accept a set of rights is to approve a distribution of freedom and authority and to endorse a view of what should be done and should not be done." This paper therefore, looks at the rights of the girl-child to mean the claims, powers and privileges ascribed to the girl-child as natural endowments of her humanness and so required to be protected by the State through the instrumentality of the law.

Girl-child Act in Nigeria

The Constitution of Nigeria provides for the fundamental rights of the girl-child in its chapter four. (Constitution of the Federal Republic of Nigeria, 1999). Ama (2005) states clearly that "it is in this chapter that most of the rights of the individual are comprehensively set out and protected." These rights are universal as they belong to all persons by virtue of the fact of their being human beings. These rights which are civil, political, economic, social and cultural rights, are not granted by any country's legislation but are merely recognized, adopted, and declared. They are inalienable and so should not be denied by any person, group or government. These rights have been stated to include the rights to life, the right to education, right to freedom of expression, right to health care, right to protection from abuse, right to protection from exploitation and neglect, the right to development, right to recreation, right to survival and equality etc (Ama, 2005). Further rights are right of non-discrimination, the right to survival and development of potential, protection from harmful influences, abuses and exploitation.

The Child Rights Act 2003 as a legal document adopted all the fundamental human rights set out in the Chapter Four of the 1999 Constitution as the fundamental human rights of children and in addition also provided some specific rights for the protection of children such as the right to a name; right to survival and protection, right to dignity; right to parental care, protection and maintenance; right to free compulsory and universal basic education; right to freedom from ill-treatment or discrimination; right to a family and private life; right to free movement; right to association and peaceful gathering; right to freedom of thought, conscience and religion; right to leisure, recreation and cultural activities; right to health and health services ;right of a child in need of special care and protection; right of the unborn child to protection against harmful social and cultural practices; right not to be imprisoned with the mother; right to have his best interest considered paramount in matters that involve him; right to be protected from abuse and torture. These rights have been categorized into four groups namely survival, development, protection and participation rights to be involved in matters that concern him. (Akinlami, 2013.)

The girl-child also enjoys other rights enshrined in international legal instruments. The Declaration recognizes that everyone including the girl-child has the right to life, liberty and

provides the fundamental rights to the identifiable rights namely; the right to life; right to respect of his person; right to liberty; right to fair hearing in court; right to privacy and family life; right to free thinking, good conscience and religion; right to freedom of expression, right to peaceful assembly and association, right to freedom of movement, right to freedom from discrimination, right to acquire and own property; right to compensation for property compulsorily acquired.

The security of person and that no one shall be held in slavery and slave trade shall be prohibited in all forms. No one should be committed to torture, inhuman or ill treatment or punishment. By the provisions of the United Nations Convention on the Rights of the Child, the girl-child has a recognizable and inherent right to life; and it is the responsibility of States to “ensure to the maximum extent possible the survival and development of the child.” The child also has the freedom of expression, of thought, conscience and religion; although it also recognizes the rights and duties of parents or legal guardians to provide direction to the child. The Charter on the other hand provides that the best interest of the child shall be the primary consideration in all actions concerning the child; every child has an inherent right to life to be protected by law; freedom of expression, association, freedom of thought, conscience and religion. The Charter recognizes the child’s right to protection of privacy and right to education, rest, leisure and cultural activities.

Universal Basic Education and the Girl-child

Universal Basic Education is the transmission of foundational knowledge from generation to generation to all members of the Nigerian society. It contains three parts: Universal, Basic and Education. Universal connotes a programme that is meant for all facets of the society - the rich, the poor, the physically fit and the physically challenged, the brilliant, the dull, the bright students and those who dropouts of schools, and everyone who is ready to learn. Basic is related to the starting or the take-off point, the foundation or bottom line required. Therefore, Basic Education is the take-off point in the getting of knowledge. Basic education is the kind of education that will enable a person to function effectively in the society (Adewale, 2000). Edho (2009) described it as a form of education which is essential for life. They opined that, Universal Basic Education is a type of education that gives a person the required skills to survive in his environment. The UBE programme is an institution that transmits theoretical and practical knowledge to learners in a very simple form. This involves starting from the scratch and being able to carry the learners along. Universal Basic Education is the giving of foundational knowledge to every area of the Nigerian society from generation to generation.

It is a programme that addresses problems of access, quality and equity in primary and junior secondary schools. The programme consists of a 9-year period of training, six years period in the primary school and three years in the junior secondary. The two segments of basic education are universal, free and compulsory and are given to all Nigerian children of age 6-15years. The UBE programme also stipulates learning from the early years of 3-5+ which is called Early Childhood Care Development and Education (UBEC, 2008).

The guidelines for implementation of the Universal Basic Education program (1999) gives some guide that would help for effective implementation. The guide items include the provision of educational programme that should be universal, free and compulsory and that efforts should be put in place to remove those factors that led to the failure of the realization of previous education programmes like the universal primary education. The Universal Basic Education Act (2004) made provision for compulsory Universal Basic Education and gives penalties for parents who fails to send their children to school. On the curriculum of the programme and the relevance of it to the society, Ehindero (2000) and Adesina (2000) have said that it is questionable because there is a growing rate of poverty which indicated that there is problems in the system. They therefore, suggested that the curriculum should be so structured that each individual will be provided with the skill to perform life

roles such as role as a person, producer, citizen, national consumer and as a family member. As for the provision of human and material resources, Ehindero (2000) opined that for the UBE to succeed adequate provision should be made to produce sufficient qualified teachers and they should be made relevant in their areas of specialization, their salaries should be paid regularly, as it is a motivating factor towards productivity.

On the Universal Basic Education Commission (UBEC) Act (2004) Tahir (2010) stated that for the programme to be fully and successfully implemented, it is depended on a sound policy, good governance, transparency and well-thought-out plans. Others factors include; clear implementation strategies, disbursement of funds regularly, and good and honest people to manage the programme, steady monitoring and evaluation. These success factors will enhance the effective implementation of the UBE in the states where the government has good intentions for the education of the citizens, especially the Girl-child.

Policy Framework on the Girl-child

The Federal Government launched the policy framework on the girl child/women education on 28 July 2012, to ensure access and sound education for the girl child and young women in Nigeria. Capacity building in gender mainstreaming in the basic Education sector is ongoing for all personnel in the basic education sector (Federal level including UBE states) using various strategies: workshops for girls and young women groups, policy enlightenment briefs, incorporation of gender issues in training teachers and on the job training curriculum and developing gender training materials for the girl-child and young women.

State Initiatives -The state`s initiatives are focused to increase access for girls, empower, encourage their participation in education. There are child rights laws in states prohibiting child hawkers, hawking during school hours; laws in some states stipulating two years imprisonment for any parents who withdraw a child from school, and early child marriages, motivate boost self- esteem, self-reliance and create awareness of the importance of education of girls These are states` laws promulgated against girl child marriages or betrothals; there are also role model initiatives; incorporation of sexuality Family Life education(FLE) into the school curriculum, establishment of vocational oriented schools for girls; publication and provision of subsidized textbooks; gender balancing in programming, involvement of community leaders in sensitization.

There are also the Home Grown School Feeding and Health programme, initiatives for eradicating girl child hawking. There was the establishment of a nomadic primary school in Iyalase village, Oyo state in Southwest Nigeria. Public enlightenment campaigns in form of advocacy, social mobilization and sensitization on girls, establishment of Female Education Board(in Zamfara),development of the state education sector plans and operation plan (SESP-SESOP) ,improvement of quality assurance in basic education schools; establishment of girl`s child centre, girl child non-governmental organization initiatives, for example the Forum for African Women Educationists of Nigeria (FAWEN), Children and Women`s First International Foundation (CAWFIF) and others promoting the rights of the girl child.

In view of the Social Development Goals (SDGs), of the Millenium Development Goals (MDG), an office of the Senior Special Assistant (OSSAP-SDG) to the President has been set up in the Federal Ministry of Education with a wide array of relevant stakeholders: drawn from government ministries, civil society, organized private sector, academia, development partners, youth groups, women organization, persons with disabilities, and media organization, and has put in place institutional and regulatory measures to ensure successful implementation of the SDGs. The

OSSAP-SGD is already upscaling the Conditional Grants Scheme(CGS) acclaimed as a best practice for implementing the development agenda. All the various efforts and initiatives and the successes achieved so far are found useful and are being increased towards the actualization of the targets: inclusiveness, equitable and quality basic education of goal 4 and gender equality goal 5 in Nigeria.

Implementation of Girl-child Act in Nigeria

The Child Rights Act as passed by the National Assembly enjoins the different State Legislative houses to enact same as State laws as such matters are in the residual list in the 1999 Nigerian Constitution. However, it is discovered that some States especially in the northern part of the country have still not adopted the Child Rights Act 2003 as State laws which means that the copious provisions of the Act aimed at protecting the welfare, interests and rights of the child are not applied in such States. An explanation given over the non-application of provisions of the Child Rights Act in some states is that it is incompatible with the tenets of Islamic religion which permits child marriages, that is marriages to a girl-child under 18 years and clearly excluded by the Act. Before the enactment of the Child Rights Act 2003, several other domestic and international legislations were in place to ensure the protection of the girl-child rights such as the Children and Young Person's Act which protected the Nigerian child especially with regard to juvenile justice. It appears however that:

“... there exists no provision of national force that truly protects children against abusive conditions; and that in many States, child protection activities in Nigeria are still the purview of Non-Governmental Organizations. Implementation has been challenging as Nigerian States and Local governments represent a diverse range of ethnic groups and customs.” The positions agreed on concerning the protection of the rights of the girl-child in different relevant international legislations have not been enforced by Nigeria as a Member he argues that they were in conflict with Sharia law and so cannot be adopted as law in the northern part of the country. The existing conflicts between the provisions of the Child Rights Act and Islamic law according to him especially regarding child marriages were against the spirit and practice of Islam and thus, makes “the realization of the rights of the Nigerian child more difficult circumstance.” Nigeria has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which its requires all signatories to condemn discriminations against women in all forms, and to adopt all appropriate means, policies and strategies to eliminate discriminations against women including the repealing of laws which constitute discriminations. In practice however in Nigeria, we see many discriminatory practices against the girl-child thrive under our local and customary laws. (Umar,2012)

Early child marriages, female genital mutilations and girl-child disinheritance are still subsisting practices under customary law in Bayelsa State and the Niger Delta as no Federal law has been specifically enacted to criminalize these acts. According to Alemika et al, (2005), the Nigerian Constitution is not successfully implemented in Nigeria. They stated that “irrespective of the laws being practiced, the girl-child and the boy-child; that is, children that are born out of wedlock, those children that are disabled, children born by outcasts, children from the minority group and children from other States, other than their states of origin often experience discriminations.” Female genital mutilations is still been practiced in Bayelsa State and in most of the other States of Nigeria irrespective of the provisions of the law protecting the girl-child from degrading treatment.

Child labour and exploitation are still practiced in many parts of the country despite the provisions of the Convention on the Rights of the Child that has directed Member States “to protect children from being exploited economically and from doing any work that is dangerous or that will hamper the child's education or a danger to the health of the child or physical, mental, spiritual, moral or social development.” Child labour is “one of the main sources of child exploitation and

abuse in the world today.” The International Labour Organization (ILO) estimated in 2002 that “about 23 to 25% of children aged 10-14years in Nigeria were working on family farms, in fishing and as cattle herders...they also work in domestic service and in public markets and streets as hawkers, vendors, stall minders, beggars...head loaders.” The girl-child by the provisions of the various domestic, regional and international instruments and laws has an acknowledged “right to rest and leisure; right to basic education, and right to be protected from neglect or negligent treatment, maltreatment or being exploited...” It is sad that the girl-child is exposed to various types of domestic servant-hood in homes of relations and non-relations who make her go through exploitative child labour such as hawking wares for long hours on busy roads dogging vehicles and other road users alike cannot guarantee the girl-child’s right to rest and leisure.

According to Adeyemi (1997) “child labour and child abuses are still rampant with the presence of street children and children beggars... and the right to education appears to be replaced by exploitative child labour.”

Evaluation of the Implementation of the Girl-child Act in Bayelsa State

The Bayelsan State Government had made a lot of efforts in collaboration with the Federal Government of Nigeria and international development partners in the implementation of the Girl-Child Act in the State. The various rights of the girl-child and their implementation are as follows;

Right of a Girl-child to Free and Compulsory Basic Education

This right of the girl-child is being implemented in the state through the various programmes below:

Universal Basic Education Act (UBE)

UBE Act 2004 was enacted in order to facilitate the full implementation of the UBE programme. The Act makes provision for basic education comprising of early childhood care and education, (ECCE), primary and junior secondary education. The Universal Basic Education Commission (UBEC) was then established to coordinate the implementation of the programme at the states and local government through the State Universal Basic Education Boards (SUBEBs) in the state and the Local Government Universal Basic Education Boards (LGUBEBs). The financing of basic education is the responsibility of states and local governments, and the Bayelsa State government had been very consistent in this regard. However, the Federal Government through the Act intervened in the provision of basic education with 2% of its Consolidated Revenue Fund (CRF) with certain criteria for states to access it. This fund has been utilized for activities targeted at increasing girls' access to education in schools where gender gaps exist and to ensure the uniform development of basic education in Bayelsa State. The UBE Act 2004 stipulates appropriate sanctions against parents who fail to enrol their children in school.

Girls Education Project (GEP)

The Girls Education Project (GEP, Phase I, 2004-2008) was a joint initiative between the Federal Government of Nigeria, the Department for International Development DFID and /UNICEF, including the states and local government education authorities and communities. The initiative targeted six pilot states: Bauchi, Borno, Jigawa, Katsina, Niger and Sokoto with high gender disparity in education. It aimed to eliminate gender disparity in education through improving the quality of life of girls in Nigeria by a collaborative approach to girl’s education and to achieve the relevant EFA Goals and MDGs. The project recorded a lot of success through a number of key interventions in GEP states and FME. Achievements so far improved active support for gender equity

in basic education, enhanced capacity for gender-focused policy and programmes in selected states, LGAs and communities, greater community involvement, especially for women in school governance and management, improved coherent strategies and planning with regard to girls' education, integrated programmes of community support (including nutrition health, hygiene and life skills). Phase II of the GEP 2008-2012 scaled up to cover the 36 states of the federation (Bayelsa State inclusive) and the FCT. Now in its third phase, ensuring quality is the focus for primary secondary and junior secondary schools. The GEP 3 (2012 -2019) had three outputs as follows: increased access to and demand for girl's education, improved capacity of teachers to deliver effective learning for girls and improved governance to strengthen girl's education (UNICEF, 2014). The success recorded in the GEP has motivated different states in Nigeria in developing various initiatives on improving the education and plight of the girl child in Nigeria.

National Policy on Gender in Basic Education

The National Policy on Gender in Basic Education (2006) as well as its implementation guidelines was produced by the Federal Ministry of Education in collaboration with the states to ensure that gender is systematically mainstreamed, ensure equal access to basic education and promote retention, completion and high performance for all pupils, with the required attention and provisions for the disadvantaged children, especially girls at the basic education level. In addition, the policy should act as a vehicle for the attainment of the sustainable development goal 4.

The African Girls Education Initiative (AGEI)

The African Girls' Education Initiative (AGEI, 2001-2003) is a programme for African countries, funded by the Norwegian Government 2001-2003, and was implemented by UNICEF in eight pilot states including Bayelsa State having the low enrolment of girls in primary schools in Nigeria. The impact in the target states in Nigeria recorded: 28% increase in girls' enrolment, 80% decrease in dropout rates, 50% reduction in gross enrolment rate (GER), gender gap and 40% increase in the number of female teachers in the target schools (FGN/UNICEF, 2003).

Strategy for Acceleration of Girls' Education in Nigeria (SAGEN)

The Strategy for Acceleration of Girls' Education in Nigeria (SAGEN) was launched in July 2003 by the Federal Ministry of Education and UNICEF thus making girls' education a priority. The initiative which focused on an integrated approach to achieving gender equality, inspired other development partners under SAGEN Plus. SAGEN addresses three of the MDG goals on achieving Universal Basic Education, promoting, gender equality and empowering women and also combating HIV & AIDS, malaria and other diseases in 11 priority focus states with the highest levels of gender disparities (Kebbi, Sokoto, Zamfara, Katsina, Kano, Jigawa, Bauchi, Yobe, Gombe, Borno, and Adamawa led to the launch of Girls education project (GEP) (FGN/ UNICEF, 2003).

Right of a Girl-child to Freedom from Discrimination

In order to address the problem of gender discrimination against the girl-child especially in education, the Bayelsa State government in partnership with the federal government and other international development organization had established the following programmes viz.

Closing the gender gap in Education

The Bayelsa State Government in collaboration with the Federal governments and international development partners -DFID/UNICEF is accelerating various efforts and interventions to close the

gender gap and ensure the basic rights of development, survival, participation and protection of the girl child in Bayelsa State of Nigeria and to meet the MDGs 2 & 3, and the current sustainable development goals targets. Some of these efforts include

Child –Friendly School Initiative (CFSI)

As a response to the dire state of education in Nigeria in the 1990s, the Child-Friendly school Initiatives (CFSI) was developed as a partnership between the Federal Ministry of Education, UNICEF, some states and other international development organizations.

CFSI was used to advocate for and promote quality basic education for girls and boys, it is gender sensitive; child-friendly; child- seeking for ensuring child's right to quality basic education and attracts more girls to schools. The CFSI is characterized by the provision of enabling environments and establishment of School-Based Management Committees (UNICEF, 2009).

In partnership with civil societies and faith-based organizations, Government has set up campaigns on enrolment, retention, and completion, increased advocacy in affected areas, provided learner friendly schools into the UBE programme.

“Girls’s Only” School

Establishment of the `Girl’s only` schools and boarding facilities for girls with a quality environment, and reproductive health education. This initiative is being taken to scale by the Universal Basic Education Commission which has developed a national framework for all girls` school initiative.

Second Chance Education programmes are encouraged where girls who drop out from school can continue learning academic knowledge and technical skills and the provision of adequate facilities and equipment and provision of salaries for facilitators.

Gender-responsive Curriculum

The Federal Government of Nigeria(FGN) makes it mandatory for the new editions and new texts that are to be used in schools to be censored for gender sensitivity

Right to Health and Health Services for the Girl-child

In order to guarantee the right of the girl-child to health and health services, the Bayelsa state government had made provisions for government hospitals in the state capital and all the local government areas in the state, these hospitals are managed by the state hospital management board for maximum productivity. Primary health centres are also located in all the communities for the provision of health services for all,

Others Are

Encouraging the men to play a pivotal role in achieving gender equality including improving women`s and children`s health, reducing HIV & AIDs transmission, and eliminating child marriage and gender based violence.

Establishing innovative girl child encouragement clubs in schools in collaboration with Parents Teachers Association (PTA) and School- Based Management Committee (SBMC). Effective awareness campaigns have been conducted to inform, sensitize and dispel religious misconceptions and cultural inhibitions against girl’s education throughout the State and local government Areas.

There is a national legislation criminalizing FGM; the Violence against Persons (Prohibition) Act was passed into law on 28th May, 2015 and it had been adopted in the State for protection against different forms of violence.

Private sector roundtable held in 2004 titled “Children Missing on Education” organized by Federal Ministry of Education (FME) and UNESCO; its focus was a major call for private sector participation in support of girls` education by sponsoring research and providing support in various other ways to schools.

Statistics of Enrolment and Percentage of Male and Female Students into Primary and Junior Secondary Schools in Bayelsa State from 2010- 2020

Primary Schools

Year	Male	%	Female	%	Total
2009/2010	316, 228	49.7	320,058	50.3	636,286
2010/2011	325, 808	49.7	330,158	50.3	655,966
2011/2012	255, 140	49.7	255,264	50.1	510,404
2012/2013	308,638	49.7	311,514	50.2	620,152
2013/2014	165,524	50.4	163,028	49.6	328,552
2014/2015	148,836	51.0	142,884	49.0	291,720
2015/2016	158,940	52.4	144,884	47.6	303,184
2016/2017	145,522	51.0	139,798	49.0	285,320
2017/2018	119,696	51.0	114,986	49.0	234,682
2018/2019	122,468	51.3	116,268	48.7	329,448
2019/2020	123,176	51.0	118,268	49.6	241,444
Overall Total	2,189,976	50.4	2,157,110	49.6	4,347,086

Basic Junior Secondary School (BJSS)

Year	Male	%	Female	%	Total
2009/2010	283,212	49.5	288,886	50.5	572,098
2010/2011	291,452	49.4	298,340	50.6	589,792
2011/2012	216,984	49.7	219,882	50.3	436,866
2012/2013	271,736	49.6	275,948	50.4	547,684
2013/2014	124,156	49.9	123,724	50.1	247,880
2014/2015	107,416	52.1	103,538	48.9	210,954
2015/2016	115,932	52.9	103,114	48.1	219,046
2016/2017	97,968	50.4	96,416	49.6	194,384
2017/2018	77,280	50.6	75,344	49.4	152,624
2018/2019	77,488	50.9	74,614	49.1	152,114
2019/2020	79,386	50.8	76,672	49.2	156,064
Ground total	1,743,010	50.1	1,736,478	49.9	3,479,488

Source: Education Management and Information Services (EMIS) (2022) Ministry of Education, Yenagoa, Bayelsa State.

The above statistics shows enrolment of male and female students into UBE schools in Bayelsa State for a ten year period of 2010 to 2020. A look at the data shows that the total enrolment for male and female students is 4,347,086 for Primary Schools and 3,479,488 for Basic Junior Secondary Schools.

The total percentage enrolment for female students in Primary schools is 49.6% and 49.9% in Basic Junior Secondary Schools. This indicated an improvement in the Girl-child education in the state, having achieved gender parity.

An assessment of statistics of enrolment in basic education from 2000 -2010 according to Nigeria’s MDG report in Agusiobo (2018) revealed imbalances of enrolment of girls and boys from

primary, junior secondary to adult school and gender equality has favoured boys than girls. The scenario has gradually changed in favour of girls with more enrolments and equity in gender parity index, as seen from the statistics of enrolment in Bayelsa State Universal Basic Education above. This assessment is supported by the MDG 2015 end line report which noted that imbalances have gradually decreased and appreciable progress recorded was trending towards parity between males and females. (MDG,2015).

Factors that affect the Rights of the Girl-child to Education in Bayelsa state

There are various harm and negative influences the girl- child and young women face in Bayelsa state of Nigeria which undermine their status, often exacerbate the magnitude of interruption in schooling, cause psychological trauma and so many other negative effects which are violations against their fundamental human rights (development, survival, protection, participation rights) enshrined in legal instruments These factors and their effects are briefly discussed below.

Child Abuse

In the different forms of child abuse, early marriage, child labour-hawking, child workers/street children, child trading, street child beggars, physical and mental violence, intimidation, sexual exploitation, child prostitution, female genital mutilation, child trafficking; children suffer from various diseases and maltreatment such as respiratory problems, injuries and accidents, physical and sexual violence such as rape and molestation especially the girl child, online abuse ,malnourishment ,extortion of income, police harassment, and participation in harmful or delinquent activities.(Aderinto,2000; Hope,2005).

Both boys and girls work as street hawkers throughout the south of Nigeria and in Bayelsa state, whereas in the north of Nigeria this activity is predominant among the girls (Vinola & Fubara, 1986); Ebigbo (1988), had highlighted street hawking and an aspect of child abuse and neglect. However, a baseline survey revealed that 80% (n=454) said there was a great deal of child abuse and neglect in Nigeria; major city centers are filled with children hawking; 87% of respondents (n=490) believed that hawking was not a good way of preparing a child for future employment and 93% (n= 526) of respondents do not believe that children selling on the streets are domestic servants in Nigeria, including under-aged prostitution, pawning, (Ebigbo, 1988; Ebigbo & Izuora, 1985) some have taken to all manner of petty crimes from picking pockets to the sale of dubious articles of dubious value, and trafficking in girls for commercial sex work. In some cases, the adolescent girls are often lured by child traffickers with the idea of taking them abroad/overseas to study and live better lives (this is common in Benin City in Nigeria). Some girls in Bayelsa state have been promised good livelihood in places like Italy, Paris, America, and Benin republic and so on; only for them to realize that they have been tricked into prostitution.

The effects are that a class of young destitute illiterate children and women with minimal education are created having no means of making a decent livelihood; many resort to low paying jobs or become commercial sex workers. CRA 2003, section 28 1(a, b, c) stipulates that no child shall be subjected to any forced or exploitative labour---Also Article 3 of International Labour Organization Convention No 182 is against child labour. Child labour has detrimental effects on children`s health, social and educational wellbeing.

Early Marriage -This is the practice of giving a girl-child in marriage without the consent of the girl and at an early age to older men, even as young as 7or 8years old. Meanwhile, early marriage deprives the young girls of a school education or acquisition of skills needed for survival. Many of the brides become pregnant and give birth before they are physical, mentally or emotionally prepared. The practice often adversely affects the health of the girls including their reproductive health. The girls show high rates of maternal mortality and the rates of infant mortality are high

among their offspring. It affects their mindsets and total development. Health issues such as Vesicovaginal fistula (VVF), Sexually transmitted diseases (STIs) which undermines the girl's personality or self-worth are common. Early marriage and child pregnancies are associated with so many risks. The CRA, 2003 prohibits any child under the age of 18 years from contracting or being contracted into marriage under any guise.

Gender Discrimination- The girl child often faces discrimination from the early stages of life through childhood to adulthood (Beijing, 2000; United Nations, 1995). There are a lot of gender stereotypes in everyday life and even in materials used in schools. Culturally boys are favoured and better prized than a girl –child. Gender discrimination begins even before birth with the desire of the typical parent for sons rather than daughters. Girls are considered inferior to boys and this is reflected and reproduced by countless social and economic practices and forms throughout the life cycle. Girls are usually kept at home and made responsible for additional domestic, agricultural, or informal labour for the benefit of the household while the sons are sent to school to obtain education and be ready to take up professional work. This situation violates the legal instruments (CRA, 2003; Art.10 Freedom from discrimination and the Nigerian Constitution, 1999). The economic activities open to girls and women are thus removed or reduced, and this can help force them to low skilled, low paying jobs in the informal sector or in street trades. Their lower social status means that they are less well protected from economic predators and are more vulnerable to bonded labour. In contexts of poverty, many girls are lured into commercialized sex or `survival sex` and have relations with older men. Many others become prey to sexual exploitation through trafficking for sexual purposes, pornography prostitution, including child prostitution or as domestic house helps they are sexually abused by the man in the house. All these constitute grave abuse of right

The scenario from children speaking:

Ebiere, girl, (aged 12) said, “My brother was sent to school by my parents with the money made by sending me to work as a domestic servant where I was maltreated. I was not happy at all. I felt like killing myself at times”.

Tarela (girl, age 9) stated, “At times, some men would pretend that they want to buy things from me, but later would be touching my body. I was raped twice and became pregnant on one occasion by two men who dragged me inside their house and raped me. My parents aborted the pregnancy so that it wouldn't ruin my education”

(Accounts from girls from a Girl Child Tribunal held in Abuja, Nigeria (Agusiobo, 2018))

Emergency Situations: These include situations such as floods, oil pipeline/ fire outbursts, disease outbreaks such as yellow fever, cholera/measles, food insecurity, refugees, conflict/violent situations such as communal wars, kidnapping, killings, farmers and herdsmen clashes, insurgency etc. have had negative influences on children and girls and sometimes have stopped them from attending school.

Despite strong international treaties, domestic laws and legal instruments, Acts, policies etc. put in place to outlaw these harms and negative practices, there are some deep-set cultural traditions, poverty issues and strong resistance to child labour which do not respond readily to morals and harms.

CONCLUSION

In this paper, the international instruments and bill of rights that led to most other local and domestic instruments of rights have been discussed and their relationship to the rights of the girl-child has been

highlighted. The issue of rights and the girl-child Act in Nigeria was also discussed. Universal Basic Education and the Girl-child, Government policy framework on the girl-child and implementation of girl-child Act in Nigeria were enumerated. The Bayelsa State governments` efforts in implementing the Girl-child Act in the state, as well as collaborative efforts with international development partners had been extensively discussed. The various factors that ranges from early marriage, child labor, hawking, sexual exploitation, trafficking, various kinds of gender discriminations, etc. that effect the rights of the girl-child to education which are grave violations of human/child rights have been highlighted as well.

Statistics in education in past decades which reveal low enrolments of girls causing gender gaps at education level have been discussed and updated with the progress in equitable access and gender parity in more recent education statistics. Various suggestions such as ensuring the rights of the girl child via increasing funds for education and, strong political will and commitments by governments and all stakeholders to educate inclusively and empower girls/women with life enhancing skills, etc. were put forward.

SUGGESTIONS

In the light of the above discussions, this paper puts forward the following suggestions;

1. There is need for a strong political will by government to fully implement the relevant legal instruments and Declarations and work towards meeting the targets set by the SDGs. Strong commitments and support of all stakeholders, civil societies, the private sector, NGOs, parents, guardians and support from the international community are needed.
2. The legislative review of all domestic laws discriminating against women in Bayelsa State and the enactment of specific gender based laws by the State Assembly to reduce the incidence of discriminations against the girl-child.
3. International aid should be increased by all donors and partners and be directed to female child survival, development, participation, protection and promotion of human rights. The WHO should continue its commitment to the abolition of all forms of female genital mutilation.
4. Government should increase funding for education and provide scholarships and grants for the education of the girl child ensuring gender sensitive plans and budgets.
5. Need for more systematic changes and a consolidation of the various interventions of the successful GEP project and other initiatives that have brought about remarkable changes in access of girls to school.
6. Need to strengthen the social protection mechanism by establishing a separate Ministry of Child welfare and training the staff on child rights, safety and protection issues in order to ensure that all issues concerning the child especially the girl child are given appropriate attention.
7. Need for attitudinal change, a re-orientation of societal and parental values and attitudes towards the education of girls would be necessary as there is a negative conception of perceiving girls 'education as 'worthless' or 'valueless'. There is a need to invest more in girls and young women in order to increase productivity, sustainable growth, peace and better health of the next generation.
8. Economic hindrances to the education of the girl-child should be urgently attended to. The free and compulsory basic education should indeed be free; items such as user fees, levies, and charges demanded from parents should be abolished for children and all girls in primary/secondary schools. The SUBEB, civil society organizations and community-based organizations should monitor closely issues of fees and levies in schools.

9. The school curriculum should include various life skills, ICT, entrepreneurial skills to empower girls, to keep them out of poverty etc. and other life-enhancing skills, soft skills such as building self-esteem, assertiveness training, effective communication and decision-making skills, conflict resolution and peace building skills as part of strategies a girl child would need as a prospective leader and these should be enhanced at home and in the community among women groups.
10. Early marriage should be outlawed and parents should be educated about the benefits of later marriage; illegal child labour and other forms of child abuses, discriminations such as female genital mutilation should be abolished. There is, therefore, need for full enforcement of the relevant policies and laws and punishment of violators.
11. The need for gender mainstreaming in all policies, curriculum, plans, and activities should be advocated in order to enhance effective implementation on the National Policy on Gender in Basic Education. In addition, an effective monitoring and evaluation framework for tracking progress in the implementation of all the activities prescribed is needed.
12. We must ensure that girl- child education is all-inclusive; the disadvantaged groups, the unreached or hard to reach, and fisher –folks, the disabled and handicapped groups must benefit from a good and quality education.
13. Every girl child should be given her right to education as it is the key right that unlocks all other human rights. Teachers should, therefore, avoid gender stereotyping.

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