



FLA Member/Affiliate Update

ofi ended its membership as an FLA Participating Company in January 2026. The company's reports can still be found at Fairlabor.org

Mapping Working Conditions and Labor Risks in ofi's Cocoa Supply Chain in Nigeria

July 2023
Baseline Assessment

ABOUT THE FAIR LABOR ASSOCIATION

The Fair Labor Association (FLA) promotes human rights at work. We are an international network of companies, universities, and civil society organizations collaborating to ensure that millions of people working at the world's factories and farms are paid fairly and protected from risks to their health, safety, and well-being.

Table of Contents

1. Executive Summary	3
2. Acronyms	5
3. Background	6
3.1. Assessment Objectives	6
3.2 Cocoa Production in Nigeria.....	7
4. Methodology	8
4.1. Assessment Approach	8
4.2 Farm Selection.....	8
5. Findings	10
5.1. ofi Nigeria's Cocoa Supply Chain	10
5.2. ofi Nigeria's IMS	10
5.3. Existence and Relevance of Labor Policies	11
5.4 Community Profiles.....	13
5.5 Farming Household Profiles	14
5.7 Cocoa Production Profile	15
6. Labor Standards Risk Assessment.....	16
6.1 Code Elements with Limited Risk of Non-Compliance	16
6.2 Code Elements with High Risk of Non-Compliance	19
7. Recommendations	22
7.1 Building Awareness About Labor Standards and Setting Up Cascading Mechanisms	23
7.2 Building the Economic Resilience of Households to Protect Children	23
8. Annex 1	25
Nigeria Desk Research Report	25
9. Annex 2	35
Assessment Methodology	35
10. Annex 3	36
Domestic Organizations.....	36
11. Annex 4	37
External Stakeholder Profile.....	37
12. References.....	39

1. Executive Summary

Olam Food and Ingredients (ofi) – formerly Olam International Ltd – joined the Fair Labor Association (FLA) in 2012. It is committed to expanding its accountability framework within all cocoa-sourcing countries' supply chains. The [Cocoa Compass](#) launched in 2019 set ambitious goals to tackle critical issues in the cocoa supply chain and support sustainability in cocoa production by 2030. ofi committed to sourcing 100% traceable and sustainable cocoa from its direct supply chain.

FLA conducted a baseline assessment of ofi's cocoa supply chain in Nigeria as part of its 2020-2021 labor standards due diligence cycle. The assessment sought to examine the supply chain, the stakeholders and workers involved, the status of the company's internal supply chain and labor management systems, and the associated labor risks.

FLA collected qualitative and quantitative data in line with its seven-step assessment approach. The assessor team collected primary data through in-depth individual interviews and focus group discussions (FGDs) during July and August 2021.

ofi Nigeria has an internal monitoring system (IMS) in place for its suppliers. Certified farmers participate in ofi's sustainability programs and have written contracts with the company, which communicates labor standards requirements to them and continually monitors implementation. Therefore, this aspect of ofi's supply chain is fully traced.

Non-certified farmers, also known as conventional suppliers, are not traced and do not participate in the company's sustainability program. The assessors found a high risk of non-compliance for the following code elements:

- 1. Employment Relationship:** None of the producers has a formal employment written contract with the workers. Recruitment is verbal and informal; no age verification documentation is presented. The workers agree on a daily rate of pay before being engaged for a specific task.
- 2. Child Labor:** The field assessment was completed during the school term and assessors did not observe any children working. However, three of the households visited reported that they engage children between 6 and 14 years in farm tasks. At least seven children from these households were engaged in harvesting, transporting, packing, and extracting cocoa, according to their parents.
- 3. Health, Safety and Environment (HSE):** While farmers wore adequate personal protective equipment (PPE) during pruning and agrochemical application, they did not wear adequate PPE (especially for their heads) during harvesting. None of the conventional farmers or their workers were trained on agrochemical use, nor did they undergo any medical examinations.

Assessors found that there was a limited risk of non-compliance for Hours of Work, Non-Discrimination, Harassment and Abuse, Forced Labor, and Compensation. Freedom of Association and Collective Bargaining are difficult to evaluate since no workers' associations exist in any of the five communities visited, but no farmers or workers raised any concerns about freedom of association.

2. Acronyms

Better Education Service Delivery for All – BESDA

Cocoa Association of Nigeria – CAN

child labor monitoring and remediation system – CLMRS

Child Rights Act – CRA

Civilian Joint Task Force – CJTF

Fair Labor Association – FLA

Federal Ministry of Agriculture and Rural Development – FMARD

Federal Ministry of Industry, Trade and Investment – FMITI

focus group discussion – FGD

good agricultural practices – GAPs

Health, Safety and Environment – HSE

internal monitoring system – IMS

International Labour Organization – ILO

local buying agent – LBA

local government areas – LGAs

Ministry of Labor and Employment – MOLE

National Agency for the Prohibition of Trafficking in Persons – NAPTIP

Nigeria Export Promotion Council – NEPC

non-governmental organization – NGO

Olam Food and Ingredients – ofi

Olam farmer information system –OFIS

Olam Traceability – OT

personal protective equipment – PPE

United Nations Children’s Fund – UNICEF

United States Department of Labor-Bureau of International Labor Affairs – USDOL-ILAB

3. Background

Olam International is a Singapore-based food trading and brokerage company with activities that span five continents. The company sources more than 45 products, including cocoa, from over 60 countries globally. The company joined FLA in 2012 and is subject to FLA's due diligence processes.

Since 2013, FLA has conducted and published annual independent external assessments of ofi's cocoa supply chain in Côte d'Ivoire to monitor labor standards as articulated in the [FLA Workplace Code of Conduct and Compliance Benchmarks, Agriculture Sector](#). FLA further verifies ofi's labor standards management systems in its cocoa supply chain against the [FLA Principles of Fair Labor and Responsible Sourcing for Agriculture Supply Chains](#).

In October 2019, ofi launched [Cocoa Compass](#), guiding the company's ambition toward creating a lasting, positive impact on the future of sustainable cocoa production. ofi has set goals to tackle the key issues facing the cocoa supply chain by 2030, with milestones for action in 2020 and 2024. As an FLA member, ofi has committed to expanding the accountability framework in all its supply chain's cocoa-sourcing countries, including Nigeria. As part of its 2020–2021 labor standards due diligence cycle, FLA conducted a baseline assessment to task and risk map components of ofi's cocoa supply chain in Nigeria.

3.1. Assessment Objectives

The assessment's objectives were to:

1. Outline the regulatory framework of working conditions in the cocoa sector and specific national or local programs that support and protect farmers and workers.
2. Map ofi's cocoa supply chain in Nigeria and the existing supply chain relations that can be leveraged to introduce a sustainability program focusing on mitigating labor risks, including child labor, and identify ofi's internal supply chain and labor management systems.¹
3. Identify key local stakeholders and existing programs for collaboration.
4. Conduct task and risk mapping with community and worker profiling in selected clusters of ofi's cocoa suppliers' farms to understand working conditions and the extent and causes of labor risks.

¹ The definition of child labor is set out in the International Labour Organization's Minimum Age Convention, (C.138) and the Worst Forms of Child Labour Convention, (C182).

5. Provide practical and scalable recommendations to ofi for building or refining social compliance and responsible sourcing in its supply chain management systems.

3.2 Cocoa Production in Nigeria

Nigeria is the third-largest producer of cocoa in West Africa, making up approximately 5% of global cocoa production on about 800,000 hectares of land.² The country is home to an estimated 300,000 cocoa farmers.³ As two-thirds of cocoa farmers live in Cross River, Ondo, and Osun states in southwestern Nigeria, the region contributes approximately 68% of the country's yearly cocoa output.⁴ Nigeria's main crop season lasts from October to December and the secondary season from April to June.⁵ For the 2019–2020 cocoa production season, Nigeria produced 250,000 tons of cocoa beans, traded by more than a dozen processors or suppliers in the country.⁶

ofi launched its operations in Nigeria in 1989 and currently has over 3,000 staff throughout the country who manage the company's sourcing, processing, marketing, and distribution. With offices and operational units across Nigeria, ofi has a wide network of farmers, suppliers, wholesalers, local buying agents (LBAs), brokers, customers, and service providers. [These networks encompass](#) approximately 500,000 farmers.

² The Center for Public Policy Alternatives. (2017, November 7). *Cocoa Production in Nigeria: A Literature Review*. <http://cpparesearch.org/nu-en-pl/cocoa-production-in-nigeria/>

³ *Cocoa Production in Nigeria: A Literature Review*. <http://cpparesearch.org/nu-en-pl/cocoa-production-in-nigeria/>

⁴ *Ibid*

⁵ Okojie, J. (2020, April 22). *Nigeria's cocoa midcrop export to shrink as coronavirus hits global demand*. Business Day. <https://businessday.ng/agriculture/article/nigerias-cocoa-midcrop-export-to-shrink-as-coronavirus-hits-global-demand/>

⁶ Shahbandeh, M. (2018). *Cocoa bean production Nigeria, 2018/2019* | Statista. <https://www.statista.com/statistics/497865/production-of-cocoa-beans-in-nigeria/>; IndustryARC (2019, November 1). *Nigerian Cocoa Market Hitting Mainstream as Cocoa Emerges as the Prominent Foreign Exchange Earner* [press release]. <https://www.industryarc.com/PressRelease/2252/Nigerian-Cocoa-Market-Research.html>

4. Methodology

4.1. Assessment Approach

FLA's seven-step assessment approach relies on a combination of qualitative and quantitative data collection techniques.

1. **Desk research:** FLA carried out a desk-based review of secondary data and information to understand Nigeria's cocoa environment.
2. **Supply chain mapping and IMS evaluation:** FLA conducted a supply chain mapping and IMS evaluation through phone and virtual meetings, and an onsite review of IMS documentation. The supply chain mapping and IMS evaluation helped define the sample size and provided an overview of the labor standards management systems in the company's cocoa supply chain.
3. **Stakeholder consultations:** Assessors interviewed various stakeholders.
4. **Community profiling:** Assessors interviewed community leaders to understand the community structure, existing social groups and culture, current infrastructure, and economic activities that could further illuminate labor risks' root causes.
5. **Household profiling and farm assessment:** Assessors visited sampled farmers' households and farms to collect data on farm-level labor risks through interviews and FGDs. A sample of 100 farmers participated, with a 95% response rate for interviewees.
6. **Data entry, processing, and reporting:** Assessors used Microsoft Excel for data entry and analysis.
7. **Development of recommendations:** The recommendations suggest ways to prevent and remediate labor risks that were noted during the assessment.

4.2 Farm Selection

Nigeria's cocoa market is open (free), meaning farmers can choose to supply to any buyer or company. However, some companies, including ofi, try to build exclusive relationships with farmers through their sustainability programs. ofi has two types of procurement systems:

1. Conventional suppliers are non-traced and non-certified farmers who do not have a formal business relationship with the company; and

2. Certified suppliers are traced farmers who have a contract to exclusively supply to ofi.

To cover both the conventional and certified supply chains, FLA’s team randomly selected cocoa farmers based on the following criteria:

- Participation in ofi’s sustainability program;
- Residence in ofi’s sourcing area;
- Delivery of cocoa to an entity that may supply to ofi through the local market; and
- Delivery of cocoa to a buyer participating in ofi’s cocoa supply chain.

Assessors visited five communities in two states and interviewed 136 people. Annex 2 provides detailed information on the assessment methodology.

Table 1: Interviewees

Group	Participants	Proportion of survey sample
Certified farmers/producers	75	55.1%
Conventional farmers/producers	20	14.7%
Community members	14	10.3%
Workers	8	5.9%
Certified brokers	5	3.7%
Stakeholder organization representatives	5	3.7%
Farmer group representatives	3	2.2%
ofi staff members	3	2.2%
Certified LBAs	2	1.5%
Conventional brokers	1	0.7%
Total	136	100%

5. Findings

5.1. ofi Nigeria's Cocoa Supply Chain

ofi Nigeria sources cocoa from Ondo, Cross Rivers, and Osun states through conventional and certified individual farmers, brokers, and LBAs, as well as certified farmer groups. During the 2020–2021 season, 424 entities supplied cocoa beans to ofi – 254 were certified, while 170 were not certified. ofi Nigeria's cocoa supply chain is made of the following actors:

- **Farmers** grow cocoa and deliver it to brokers and/or LBAs. 79,293 smallholder farmers supplied cocoa to ofi in the 2019–2020 crop season; 31% of those farmers were certified.
- **Farmer cooperative societies** are groups of farmers that are engaged officially with ofi Nigeria; LBAs and brokers may also join the cooperatives. Eleven of the 12 farmer cooperatives in ofi's supply chain are certified. The cooperatives support farmers' welfare and facilitate training on and implementation of labor standards and good agricultural practices.
- **Brokers** are intermediaries who purchase cocoa beans from farmers and sell to LBAs. ofi Nigeria sources from both conventional (non-traced) and certified brokers. They are often located in the same communities as the farmers. They weigh the farmers' cocoa beans for sale and give them marked bags (to differentiate certified and non-certified beans). ofi Nigeria provides the bags to LBAs, then LBAs in turn provide these bags to their supplying brokers.
- **LBAs** buy cocoa beans from brokers and supply directly to ofi Nigeria. The LBA often sets the procurement price for cocoa beans. The LBA pays the brokers within a week via bank transfer. They also record transactions with brokers in ledgers.

ofi Nigeria has 224 conventional LBAs and 59 “certified” LBAs in its supply chain. “Certified” LBAs supply only to ofi, while conventional (independent) LBAs may supply to other buyers. The interviewed LBAs were aware of certification audits that have been underway since 2011.

5.2. ofi Nigeria's IMS

The company's IMS has two key components: the Olam Farmer Information System (OFIS) and the Olam Traceability (OT) System. The OFIS maintains a database of farmer profiles, including biodata and farm data. The OT System collects data on commercial transactions, quality and quantity of produce, and transportation of produce along the supply chain. The IMS team is composed of:

- The **IMS manager**, who oversees the IMS office’s daily operations;
- The **procurement manager**, who leads cocoa bean procurement and ensures overall traceability using data from commercial transactions;
- The **enumerators**, who collect data on farmers, brokers, LBAs, households, and communities;
- The **chain of custody officers**, who monitor transactions and traceability of the farmers’ and brokers’ clusters;
- The **data and management officers**, who are responsible for data entry and statistical analysis;
- The **child labor officers**, who periodically conduct farm inspections;
- The **approval committee**, which is present in all certified farmer groups and has farmers, brokers, and an LBA as members; it makes decisions regarding members’ welfare and training; and
- The **occupational officers**, who are lead farmers that receive farmers’ grievances, coordinate and train cluster members.

Data collected and maintained on ofi Nigeria’s supply chain information include:

- Sales records for farmers, LBAs, and brokers;
- ofi’s waybill records showing supplies from LBAs;
- ofi’s warehouse receipts for incoming goods;
- Dates of transactions by farmers, brokers, LBAs, and ofi;
- Dates of the commodity’s movement along the supply chain;
- Transportation records;
- Quality parameters for each purchase; and
- Quantity of supplies (each transaction in bags, kilograms, and metric tons).

5.3. Existence and Relevance of Labor Policies

Visibility

The assessors noted that the Code of Conduct was displayed in various ofi Nigeria field offices and displayed inside the stores of the LBAs in Akintola. Even if none of the farmers interviewed had the ofi Supplier Code of Conduct individually, some code elements were referred to in the certified and contracted farmers’ field books, which contain information on:

- Cocoa bean traceability;
- Ecosystem management;

- Wildlife protection;
- Water conservation;
- Workers' rights;
- Child labor;
- Occupational health and safety;
- Community relations;
- Agrochemical use;
- Integrated crop and waste management; and
- The benefits of and instructions for using solar dryers.

The book's records section includes information on traceability, IMS deployment and good agricultural practices (GAPs). Assessors noted that almost all the certified farmers have the book, which they must pick up in person.

Awareness-building, monitoring, and understanding

In addition to the farmers' field book, all 75 certified farmers have received training or orientation on the company's supplier code of conduct through the ofi IMS staff. Training is conducted by lead farmers as well as through the "train-the-trainer" method, which requires the trainee to train the next person. Additionally, farmers have received training on labor issues and advice on good agricultural practices for cocoa production. In some instances, farmers reported receiving cocoa seedlings. Contracted suppliers have also undergone a certification audit. At the time of the assessment, the most recent set of training sessions occurred from April to June 2021. Topics ranged from the need for written farmer/worker contracts, occupational health and safety, workers' rights, child labor, forced labor and human trafficking, sexual harassment, and non-discrimination.

ofi Nigeria began implementing its child labor monitoring and remediation system (CLMRS) in 2018. All certified farmers receive unannounced child labor inspections at least once a month from ofi field staff. The most recent inspections reported by farmers were from February to June 2021 for the various communities. Besides child labor inspections, which entail determining whether underage workers are present on farms, the visits also seek to reinforce labor standard requirements. In some communities, a government directive mandates sanctions (fines) for any farmer found employing underage workers or engaging their children in farm tasks when they are supposed to be in school.

Farmers acknowledged that the ofi field office team's visits as beneficial to their understanding of the dangers of child labor, in addition to improving their knowledge on cocoa production and labor standards requirements. Only five of the 75 contracted farmers interviewed reported being uninformed about the supplier code of conduct. However, they reported that the ofi field teams had covered aspects of the code in training sessions, such as not using child labor. All certified (contracted) farmers understood the concept of child labor.

Table 2: Certified Farmers' Understanding of Child Labor

Definition	Respondents
Engaging children younger than 18 in farmwork (though some farmers set the age limit at 16)	61%
Children carrying heavy loads	14%
Engaging children for farmwork when they are meant to be in school	13%
Engaging children younger than 18 to apply pesticides	10%

The farmers learned about child labor in training sessions with ofi Nigeria's IMS team and through the train-the-trainer method. In addition, the company hired a consultant hired to train the lead farmers.

However, due to lack of formal training on child labor, most farmers (16 of the 20 conventional farmers interviewed) could not define the term. The other four farmers defined child labor as engaging children younger than 18 to work on the farm, and understood the topic through their experience with brokers and LBAs.

Grievance mechanism

ofi Nigeria has a supplier grievance mechanism in place. The certified farmers verbally raise grievances with the lead farmer, who then completes a complaint form and calls the field office to file a report.

Additionally, ofi's field office staff manage a complaint box, and ofi's IMS team members also share their phone numbers with farmers for direct communication.

Independent farmers raise grievances verbally with the LBAs and workers raise grievances verbally with the farmer. Options for escalating unresolved grievances include contacting the lead farmer and ultimately, the company's IMS staff.

5.4 Community Profiles

The assessors visited five communities in Cross River and Ondo states: Akintola, Akparagbong, Ikun-Akoko, Iso-Bendeghe, and Olufa. The communities' primary livelihood is agriculture; beside cocoa, farmers cultivate other crops for sale and consumption, including beans, fruits, kola nuts, maize, rice, oil palm and vegetables.

The only community without a health center nearby is Olufa, which has a health center about five kilometers away. Key infrastructure issues were the poor state of roads, lack of electricity, and lack of potable water. There were no irrigation facilities or extension services in the visited communities.

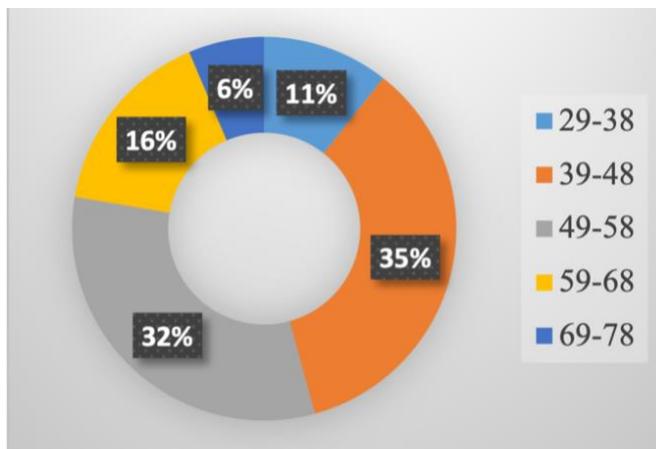
Nigeria has a decentralized government, with 36 states, a federal capital territory which has six area councils, and 768 local government areas (LGAs).⁷ LGAs are in charge of preschool and primary and adult education, public health, town planning, roads and transport, and waste management. The assessors visited Boki, Elegebeka-Ose, Ikom and Odigbo LGAs.

Although there are primary and secondary schools in most of the visited communities, in communities near Ikom, schools were about two or three kilometers from farmers' homes. Therefore, the ofi Nigeria IMS trainers provided the only training on GAPs and labor standards available in the visited communities.

5.5 Farming Household Profiles

A majority of the interviewed farmers (74) were men; the remaining 21 farmers were women. The average household had four members. Only 35 of the 95 interviewed farmers had school-aged children (between 6 and 14) in their households. Of that group, only one had school-aged children not attending school (reportedly due to their lack of interest in formal education and their vocational training in sewing and vulcanization). They were also engaged on the farm during harvesting. The children in the rest of the households attend school regularly.

Chart 1: Farmers' Age Distribution



5.6 Worker Profiles

Farmers reported engaging between one to 11 workers, depending on the type and amount of work. The workers were predominantly male except for Akparabong and Iso-Bendeghe, especially during harvesting, where workers are reported to be mostly women.

None of the interviewed farmers had a contract with the workers they engaged. Farmers did not ask for age verification from workers principally because they did not engage any young-looking workers. No age verification documentation is requested of the workers. Forty-six percent of the

⁷ Asani, M. A., et al. (2011, April). *Literature Review on Local Government in Nigeria - Part A: Definitions and History of Local Government*. Nova Science Publishers. https://www.researchgate.net/publication/255716553_Literature_Review_on_Local_Government_in_Nigeria_-_Part_A_Definitions_and_History_of_Local_Government; Commonwealth Local Government Forum. *Country Profile 2019 –The Local Government System in Nigeria*. (2019). https://www.clgf.org.uk/default/assets/File/Country_profiles/Nigeria.pdf

interviewed farmers reported knowing the requirement to maintain a list of young workers, should they employ them.

Eight workers (all men), ranging from 25 to 57 years old, were interviewed, and two had school-aged children (who attended school in the community) in their households. None of the children of the workers interviewed were reported to be involved in work for pay alongside their parents. The assessors could not determine if, and to what extent, they worked on their own parents' farms.

All workers were paid the same amount of cash for the same job. Farmers predominantly paid daily workers between 1,500 and 2,000 naira (NGN), with the higher amount paid when food was not provided. This was the most common type of worker, accounting for all workers interviewed during the assessment. The FLA assessment team did not find other types of workers. It was also noted that farmers provided food for workers on the days they worked in addition to medical assistance if required.

Only one of the interviewed workers was aware of the mandatory school-going age and hazardous agricultural work prohibited for children under 18.

5.7 Cocoa Production Profile

Land for cocoa production was predominantly private (family-owned), with an average farm size of five hectares.

Table 3: Cocoa Farmland in Assessed Communities

Average	Largest	Smallest
5 hectares	25 hectares	0.1 hectares

The average annual production of cocoa beans among the interviewed farmers was 2,120 kilograms. All interviewed farmers (40) in Olufa and Ikun have been supplying cocoa beans to ofi since 2019. In addition, 51 of the farmers from Akintola, Akparagbo (Agbogbo), and Iso-Bendeghe have supplied cocoa beans to the company, directly or indirectly, for at least a decade.

6. Labor Standards Risk Assessment

The findings of the assessment were benchmarked against the FLA Workplace Code of Conduct to identify code provisions with a limited risk of non-compliance as well those with a high risk of non-compliance. The [FLA Workplace Code of Conduct](#) defines labor standards that aim to achieve decent working conditions. The Code's standards are based on ILO standards and internationally accepted good labor practices.

6.1 Code Elements with Limited Risk of Non-Compliance

Hours of Work

Hours of Work assessments cover (a) Rest Day, (b) Meal and Rest Breaks, (c) Protected Workers (pregnant or nursing women, young workers), (d) Overtime and (e) Public Holidays and Leave.

Nigeria's National Minimum Wage Act 1981 establishes a 40-hour workweek. However, the Labour Act does not specify general working hours, which are instead determined by mutual agreement or collective bargaining within the enterprise or industry. Where there is no mechanism for collective bargaining, working hours may be set by an industrial wages board.⁸

Table 4: Farmers' Daily Working Hours

Hours worked	Farmers
2	3
3	3
4	15
5	42
6	32

Interviewed farmworkers reported working for two to six hours a day, six days a week. The most hours worked in a week was 42. The regular workweek for cocoa production therefore does not exceed 48 hours, as outlined by the FLA Code of Conduct item on working time for a regular workweek.

⁸ Compensation. (2023). WageIndicator Foundation. <https://mywage.ng/labour-law/compensation#:~:text=As%20specified%20under%20the%20National>

Table 5: Farmers' Weekly Rest Days

Rest days	Farmers
1	57%
2	34%
3 to 4	9%

In most communities, Sundays and market days were commonly observed as rest days. The farmers also rest during the off-peak periods, reported as May to September and January to March.

Freedom of Association and Collective Bargaining

Freedom of Association assessments cover (a) Right to Freely Associate, (b) Anti-Union Behavior, (c) Protection of Union Representatives, (d) Employer Interference, (e) Collective Bargaining, and (f) Right to Strike.

Assessors reported that farmers could freely associate. Except for independent farmers, the assessors found that all certified farmers were part of clusters or producer groups with about 25 farmers each. There were no workers' associations noted. There was a workers' welfare group in Olufa with membership primarily based on ethnic descent; the group migrated from Benue to work on farms in Olufa.

Non-Discrimination

Non-discrimination assessments cover (a) Recruitment and Employment Practices, (b) Compensation Discrimination, (c) Discrimination in Access to Training and Communication, (d) Marital or Pregnancy-Related Discrimination, (e) Health-Related Discrimination, (f) Respect of Culture and Religion.

Recruitment and employment practices are the same in all the visited communities. Work is based on specific tasks and completion time and is agreed upon verbally. The assessment team noted that the amount paid to workers was standard. Interviewed workers and farmers reported receiving NGN1,500 for a day's work. None of the workers receive any formal training.

There was no notable gender-based discrimination or discrimination based on other social attributes. Although none of the independent farmers interviewed were women, women were members of producers' groups and had the same terms with ofi as men did.

All the farmers interviewed reported awareness of their right to terminate their ofi contracts or stop selling to the LBAs.

Harassment and Abuse

Harassment and Abuse assessments cover (a) Discipline, (b) Violence, (c) Sexual Harassment and (d) Security Practices.

None of the farmers have been sanctioned by ofi or the producer group. No forms of harassment or abuse were noted during the assessment.

Forced Labor

Forced Labor assessments cover (a) Freedom in Employment and Movement, (b) Work of Family Members, (c) Personal Workers Identification, and (e) Other Documents under forced labor code.

There is no formal recruitment process for workers across all the communities visited during the assessment. Assessors noted that farmers do not demand or retain workers' personal identification.

Workers in Olufa and Ikun were predominantly domestic migrants from Benue who live alone. The workers from the Benue community migrate to Olufa in search of farmwork. Information gets to them through relatives who are already part of this set of workers.

Another recruitment channel is through verbal announcements within the community, which elicit responses from workers interested in immediate engagement. Announcements are also made in social settings, such as bars and community meetings. Producers also use mutual aid by working on each other's farms for in-kind payment (typically food).

In Akintola, most of the workers were reported to be students of tertiary education who work temporarily before going back to their institutional residences. Workers were paid at the end of each workday, and there were no instances of income being retained by the producers for debt repayment or any other reason among the workers interviewed. The workers' family members do not work alongside them, voluntarily or otherwise.

Compensation

Compensation assessments cover (a) Minimum Wage and Living Wage, (b) Farmer Income, (c) Wage Payment and Calculation, (d) Workers Awareness and Fringe Benefits.

As of April 2019, the national monthly minimum wage was NGN30,000. Farmworkers' monthly wages were NGN36,000, slightly more than the minimum wage.

The assessors did not note any significant issues related to compensation. Although one of the certified farmers claimed not to have received premium payments for the 2019–2020 and 2020–2021 harvests, that farmer was not present in the community during

the cash disbursement. Payments are made in person to the farmer upon identity verification. No one other than the farmers can receive payments.

Some LBAs work with brokers to provide financing for farm equipment. One broker reported that the amount provided would eventually be deducted from the farmer's income. However, none of the interviewed farmers, even those who had benefited from farm equipment support, reported deductions from their income, either by ofi, LBAs, or brokers.

Certified farmer payments are made in cash in the presence of the lead farmer, broker, LBA, and ofi officials or through bank transfer depending on the producer's preference. Prior to payment, the farmer's field book is used for identity verification. The producer places a signature or thumbprint in the sales records section of their farmer field book to acknowledge receipt of payment. An ofi Nigeria procurement officer also signs alongside the farmer. Although certified farmers' proof of payment is recorded in their farmer field books, conventional farmers do not have such proof of payment, as they are paid in cash by the broker based on verbal agreements about the cocoa's quality and quantity, and are not issued receipts. However, none of them reported compensation issues. The LBAs keep their own records.

Premium payments are given to producers in the presence of the lead farmer, broker, LBA, and ofi officials. A few farmers expressed the desire to know how premiums are calculated.

6.2 Code Elements with High Risk of Non-Compliance

HSE

HSE assessments cover (a) Document Maintenance, Permits, and Certificates, (b) Evacuation Requirements and Procedure, (c) Safety Equipment and First Aid, (d) Personal Protective Equipment, (e) Chemical Management, (f) Protection Reproductive Health, (g) Infrastructure, Machinery Safety, and Ergonomics, and (h) Medical Facilities.

The health and safety issues observed on the farms differed between certified and non-certified farmers. All traced farmers supplying cocoa beans to the company receive occupational health and safety training. Topics covered include:

- First aid administration (especially for cuts from sharp objects);
- Safety during agrochemical use;
- Reviving an unconscious worker; and
- Proper disposal of chemical containers.

Farmers mostly wore appropriate PPE (such as boots, gloves, masks, and goggles) for their tasks. The workers purchase their own PPE — mostly boots and gloves. ofi Nigeria provides each community/cluster with PPE. The spraying officers in every cluster are

provided with two of each of the following items, which are kept in the chemical storage areas:

- Knapsack sprayers;
- Overalls;
- Respirators;
- Gloves;
- Boots;
- Caps; and
- Goggles.

All certified farmers have designated sprayers for all members of the producer groups. These sprayers are trained on agricultural management by ofi's IMS staff. The sprayers undergo an annual medical examination to determine their health status.

Contracted farmers store the spraying equipment, PPE, and agrochemicals in the community chemical store. Ninety-three percent of the contracted farmers reported being aware of the list of authorized agrochemical products through farmer field books and ofi IMS training sessions. Contracted farmers receive agrochemicals from the company, lead farmers, sprayers, and brokers. Conventional farmers conduct spraying operations themselves, pay experienced spray operators, or receive assistance from other farmers and neighbors.

Farmers reported accessing first aid through the lead farmer, who also served as the first aid manager, community health centers, and LBA stores.

Assessors noted that falling cocoa pods present head injury risks during harvest. Men do not wear any PPE for the head, while most women workers wore head ties.

None of the independent farmers or their workers have been trained on the use of agrochemicals. This was confirmed by one of the interviewed workers who reported participating in the application of agrochemicals, for which they had not received any formal training. The non-conventional sprayers only wore boots, gloves, jackets, and masks when spraying agrochemicals.

Conventional farmers obtain agrochemicals from local stores. Unlike certified producers, independent farmers keep the agrochemicals in makeshift stores on their farms. The farmers and the sprayers they engage do not undergo any periodic medical examination.

Twenty percent of the farmers interviewed did not know the list of authorized agrochemical products. The independent farmers who reported being aware of the list had gotten the information through the LBAs.

One visited community (Olufa) has no health center. The nearest health center is located about five kilometers away, though the farmers have a first aid kit in the community. The most commonly reported hazards were cuts and injuries from tools during harvesting,

falls from significant heights, bee stings, and the effects of agrochemicals drift when spraying against the wind. Snakebites were said to be rare, with none of the eight interviewed workers reported having been bitten by a snake.

Assessors noted that first aid training, consisting primarily of verbal instructions, was ineffective as farmers could not remember it. Furthermore, workers cannot access first aid directly; a producer makes a request on their behalf to the lead farmer, who manages first aid.

Child Labor

Child Labor assessments cover (a) Minimum age for Employment, (b) Immediate Family Members, (c) Right to Education, (d) Young Workers, (e) Apprenticeships and Vocational Training, (f) Children on Premises, (g) Removal and Rehabilitation of Child Laborers.

The general minimum age for work in Nigeria is 12.⁹ The main challenges related to the legal framework in the country include the fact that the laws in Nigeria regarding the minimum age for employment are inconsistent. The Child Rights Act (CRA) supersedes all legislation related to children, yet it states that the provisions related to young people in the Labour Act, which sets the minimum age for work at 12, still apply to children.

Although the Labour Act forbids the employment of youth under 18 in work that is dangerous to their health, safety, or morals, it does not establish the types of prohibited hazardous activities.¹⁰ Additionally, the Education Act and CRA set the ending age for compulsory education as 15 years, which is higher than the Minimum Age for Work. The ILO Convention No. 138 on Minimum Age requires the age at which a child leaves compulsory education to be aligned with the minimum age for work. This increases the risk of child labor since children could be engaged for work without completing compulsory education.

During the field visits, assessors noted that about 10% of the interviewed farmers were not informed of the requirement not to employ workers who are underage or younger than 14. Nine percent of interviewed farmers did not know the requirement that prohibits 13-year-olds from working on farms. Unlike contracted farmers, none of the conventional farmers knew that this as a labor standard requirement. Three out of the 95 visited engaged children in farm tasks, and three interviewed farmers were not aware that education is compulsory for children younger than 14.

⁹ Refer to Section 59 (1) of the Labour Act; Sections 28 and 29 of the Child Rights Act) (see Annex 1). The minimum age for hazardous work is 18 (Section 59 (5) and (6) of the Labour Act; Sections 28, 29, and 277 of the Child Rights Act)

¹⁰ The United States Department of Labor – Bureau of International Labor Affairs. *2019 Findings on the Worst Forms of Child Labor – Nigeria*. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

Nine of the contracted farmers could not recall the specifics of the list of hazardous agriculture work prohibited for children under 18. None of the independent (conventional) farmers were aware of the child labor requirements, such as not allowing children under 13 to work on the farm.

There were 78 school-aged children – 42 boys and 36 girls. Of that group, there was an equal gender split among the 26 children who did not have birth certificates. Lack of a birth certificate could compromise children's education, as it a key document for enrollment in school.

Employment Relationship

Employment Relationship assessments cover (a) Human Resource Management System, (b) Recruitment and Hiring, (c) Terms and Conditions, (d) Administration, I Worker Involvement, (f) Right to Organize and Bargain, (g) Work Rules and Discipline, (h) Access to Training for Family Members, (i) HSE Management System and (j) Grievance Procedures.

None of the producers have a formal employment relationship with the workers. Recruitment is verbal and informal, and no age verification documentation is presented. The workers are engaged for a specific task and the amount to be paid, usually a daily rate, is agreed on beforehand.

One certified farmer reported not having signed a contract with ofi, and seven farmers did not have updated copies of their contracts, while the field office had updated versions in their records.

The farmer contracts refer to the supplier code of conduct, which has requirements on management, farming practices, working conditions, environment, and farm maintenance. The code of conduct requirements are communicated to farmers on an ongoing basis during the monthly IMS team visits.

7. Recommendations

Assessors noted that HSE, Child Labor, and Employment Relationship were the FLA Code of Conduct principles with a high risk of non-compliance. Hours of Work, Freedom of Association and Collective Bargaining, Non-Discrimination, Forced Labor, Harassment and Abuse and Compensation presented a limited risk of non-compliance. Based on these findings, FLA's recommendations to ofi focus on building awareness about labor standards and setting up cascading mechanisms, and building the economic resilience of households to protect children.

7.1 Building Awareness About Labor Standards and Setting Up Cascading Mechanisms

Employment Relationship

ofi should draft a simple one-page contract template to guide the employment relations between farmers and their long-term workers, and provide it to each community's lead farmers for wider distribution to farmers.

Child Labor

ofi should expand its CLMRS program to all its supplying communities. The labor standards training session should strengthen the topics related to child protection.

ofi should conduct awareness campaigns to explain and benchmark its code of conduct against national and international child labor regulations, and explain the local context and application of child protection requirements to all its supply chain actors.

HSE

As a result of training, awareness-raising, and company support, certified farmers manage chemicals better than conventional farmers, who are not included in the training and education. ofi should expand its training program to all its suppliers (certified and non-certified). The company could build the capacity of LBAs and brokers by cascading the training to the conventional farmers, with whom they have direct contact.

To improve community safety, ofi could conduct community-based trainings that are open to all members of supplying communities. They could create a public campaign, in partnership with community boards, to display information on the dangers of improper chemical storage and the importance of using proper PPE. This would ensure that even non-certified farmers who don't have direct contact with ofi's field agents can benefit from training and awareness materials. Additionally, ofi should consider formalizing first aid training, since verbal instructions are often forgotten, even by lead farmers who manage the first aid kits.

7.2 Building the Economic Resilience of Households to Protect Children

Living Income

According to stakeholders, poverty is one of the root causes of child labor, as farmers cannot afford to pay adult workers and enjoy a decent standard of living.

ofi should develop a strategy and implement an income improvement program to strengthen families' abilities to educate their children, access better health care and nutrition, and hire adult labor when necessary. Diverse approaches, including improving

farmers' techniques to increase production and yield; diversification of household-level income-generating activities through the gender action learning system; and creating village savings and loans associations, can help achieve this objective.^{11 12}

Advocacy

Stakeholders also noted a lack of, or inadequate, funding for sustainability programs and inconsistencies in government policies regulating the cocoa sector.

ofi should include pricing and better organization of the cocoa sector on the agenda of its meetings with the national and interprofessional authorities of the cocoa sector, so farmers benefit from a better business environment.

¹¹ Reemer, T., & Makanza, M. (2014). *GENDER ACTION LEARNING SYSTEM*. Oxfam Novib. https://www.oxfamnovib.nl/Redactie/Downloads/English/publications/150115_Practical%20guide%20GALS%20summary%20Phase%201-2%20lr.pdf

¹² CARE International. (n.d.). *Village Savings and Loans Associations*. <https://www.care-international.org/what-we-do/womens-economic-justice/village-savings-and-loans-associations>

8. Annex 1

Nigeria Desk Research Report

Cocoa production in Nigeria

With a population of 200.9 million in 2019, agriculture is the main source of livelihood for most Nigerians, employing two-thirds of the labor force.^{13 14} Agriculture accounted for around 22% of the country's gross domestic product in 2019, it represents only 1.6% of Nigeria's total exports.¹⁵

Between 2016 and 2018, the country exported cashew nuts, crude palm oil, fermented cocoa beans, frozen shrimp, ginger, prawns, sesame seeds and soybeans.¹⁶ Cotton and peanuts are grown in the northern part of the country, cocoa is grown in the southwest region, and oil palms are grown in the southern region.

Nigeria's cocoa historically has been known for its high quality. That provides an opportunity for price differentiation and therefore a sales incentive for farmers and others in the value chain. Nonetheless, rapid economic growth in the 1970s (as a result of increasing world oil prices) caused a great influx of economic migrants from rural areas to urban centers. Agricultural production stagnated and agricultural commodities no longer garner significant export revenues. As a result, Nigeria suffered a setback in cocoa quality following the market liberalization in 1986 and its reputation has declined.¹⁷

The Federal Ministry of Agriculture and Rural Development's cocoa transformation plan set a national cocoa production target of one million tons by 2018, building on the target

¹³ The World Bank. (2022). *Nigeria | Data*. Worldbank.org. <https://data.worldbank.org/country/nigeria>

¹⁴ Food and Agriculture Organization of the United Nations. (2012). *Nigeria at a glance | FAO in Nigeria | Food and Agriculture Organization of the United Nations*. Fao.org. <http://www.fao.org/nigeria/fao-in-nigeria/nigeria-at-a-glance/en/>

¹⁵ O'Neill, A. (2023, May 25). *Nigeria: Distribution of gross domestic product across economic sectors from 2011 to 2021*. Statista. <https://www.statista.com/statistics/382311/nigeria-gdp-distribution-across-economic-sectors/>; PwC. (2019). *Unlocking Nigeria's Agricultural Exports*. <https://www.pwc.com/ng/en/assets/pdf/unlocking-ngr-agric-export.pdf>

¹⁶ *Id.*

¹⁷ *Id.*

of 600,000 tons by 2015 set by the National Cocoa Development Committee.¹⁸ However, Nigeria's cocoa production in 2019–2020 was still 250,000 tons.^{19 20}

Farmers operate either on inherited lands or in a sharecropping system, where the landowner receives two-thirds of the produce accrued and helps purchase farming equipment.²¹ Among surveyed smallholder farmers in southwestern Nigeria, 80% of respondents had 5 or fewer hectares, 19% had between 5 and 10 hectares, and 1% had farms larger than 10 hectares.²²

i. Risks of cocoa production

Nigeria's cocoa sector has several socioeconomic and labor risks for cocoa farmers, including production problems like the high cost of establishing plantations, insufficient market information, high spoilage, poor bean quality, and poor quality of infrastructure between producers and processors. Poor access to credit makes it difficult for farmers (women in particular) to sustain or expand production.²³

There are several quality issues, including bag cleanliness, bean preparation, and the beans' genetic origins. Nigerian cocoa farmers' crops are poor (and therefore garner low prices) because of inappropriate farm management practices.²⁴ Yield is also constrained by inadequate extension services, low farm equipment utilization, reluctance to replant old trees, and slow uptake of new technology.²⁵

Employment in the cocoa sector is largely informal. A study in the *Asian Journal of Agricultural Extension, Economics & Sociology* revealed that majority of the respondents (60%) rely only family labor, while 28% used both family and hired labor, and 12%

¹⁸ *Id.*

¹⁹ Shahbandeh, M. (2018). *Production of cocoa beans in Nigeria from 2012/2013 to 2022/2023*. Statista. <https://www.statista.com/statistics/497865/production-of-cocoa-beans-in-nigeria/>

²⁰ IndustryARC (2019, November 1). *Nigerian Cocoa Market Hitting Mainstream as Cocoa Emerges as the Prominent Foreign Exchange Earner* [press release]. <https://www.industryarc.com/PressRelease/2252/Nigerian-Cocoa-Market-Research.html>

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ Olujide, M.G. & Adeogun, S.O. (2006). Assessment of cocoa growers' farm management practices in Ondo State, Nigeria. *Spanish Journal of Agricultural Research* 4(2), 173-179. <https://revistas.inia.es/index.php/sjar/article/view/189/186>

²⁵ *Cocoa Production in Nigeria: A Literature Review*. <http://cpparesearch.org/nu-en-pl/cocoa-production-in-nigeria/>.

employed only hired labor. Farmers also have limited education: 30% of farmers had a primary school education and 30% had no education.²⁶

Child labor is prevalent in the cocoa sector. A study in the *Spanish Journal of Agricultural Research* found that 66% of cocoa farmers among 240 respondents selected in Ondo and Cross River states, employed children between 5 and 17 years old as laborers.²⁷ The view among Nigeria's cocoa farmers is that many aspects of farmwork are part of a child's socialization process, equipping children for adulthood and farm ownership. The children accept these concepts.

Moreover, more than half of the farmers surveyed did not distinguish between work performed children and adults, suggesting that many children perform the same tasks as adults.²⁸ The majority of farmers surveyed expressed awareness and knowledge of farming hazards.²⁹ There was also awareness and evidence of children's poor academic performance related to farming.³⁰

A United States Department of Labor-Bureau of International Labor Affairs (USDOL-ILAB) report highlights the worst forms of child labor in Nigeria's cocoa sector, including forced labor as a result of human trafficking.³¹ Although the Education Act mandates free and compulsory education, it is not enforced at the state level. Schools often charge fees, and the cost of materials can be prohibitive for families. When families experienced economic hardship, they typically prioritized the enrollment of boys over girls. In particular, girls in northern Nigeria attain no or only a low level of education.³² There may not be enough qualified teachers in schools, and girls face the additional barriers of inadequate sanitation facilities, sexual harassment, and the possibility of abduction or attack (potentially by armed forces housed at schools).³³

The COVID-19 pandemic further exacerbated cocoa farmers' difficulties. The international market's demand for chocolate declined tremendously because of border

²⁶ Williams, O.A., Famuyiwa, B.S. & Abdulkarim, I.F. (2016). Perception of Nigerian Cocoa Farmers on Child Labour: Implications for Hazardous Child Labour. *Asian Journal of Agricultural Extension, Economics & Sociology* 10(3), 1-11.

https://www.researchgate.net/publication/300002842_Perception_of_Nigerian_Cocoa_Farmers_on_Child_Labour_Implications_for_Hazardous_Child_Labour

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ 2019 Findings on the Worst Forms of Child Labor – Nigeria. (2019).

https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

³² United Nations Children's Fund. (n.d.) *Nigeria: Education*. [unicef.org/nigeria/education](https://www.unicef.org/nigeria/education)

³³ 2019 Findings on the Worst Forms of Child Labor – Nigeria. (2019).

https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

closures, transport disruptions, and quarantine restrictions across cities.³⁴ This lowered cocoa prices and badly affected cocoa farmers in Nigeria, who are unable to sell their harvest.

ii. National laws and regulations on child protection

Nigeria has ratified 27 international conventions and most international legal instruments for the protection of children. The country's constitution offers a legislative and regulatory framework for the protection of children's rights.³⁵

Nigeria also has laws to operationalize the policy of combating violence or exploitation of children.

³⁴ *Nigeria's cocoa midcrop export to shrink as coronavirus hits global demand.*
<https://businessday.ng/agriculture/article/nigerias-cocoa-midcrop-export-to-shrink-as-coronavirus-hits-global-demand/>

³⁵ The Nigerian Federal Ministry of Women Affairs. (July/August 2004). *Country Report on Violence Against Children.*
<https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRC/StudyViolenceChildren/Responses/Nigeria.pdf>

Table 6: National Standards on Child Labor and Protection³⁶

Standard	Meets international standards	Age	Legislation
Minimum Age for Work	No	12	Section 59(1) of the Labour Act; Sections 28 and 29 of the CRA
Minimum Age for Hazardous Work	Yes	18	Section 59 (5) and (6) of the Labour Act; Sections 28, 29, and 277 of the CRA
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 59-61 of the Labour Act; Sections 28 of the CRA; Section 23 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act
Prohibition of Forced Labor	Yes		Sections 13, 22, and 24-25 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 28 and 30 of the CRA
Prohibition of Child Trafficking	No		Section 13 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 30 of the CRA
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 13-17 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Section 23 of the Cybercrimes Act; Sections 30 and 32 of the CRA
Prohibition of Using Children in Illicit Activities	No		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 25-26 and 30 of the CRA
Minimum Age for Voluntary State Military Recruitment	18		Section 28 of the Armed Forces Act; Section 34 of the CRA
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		<i>There is no military conscription.</i>
Prohibition of Military Recruitment by Non-state Armed Groups	No		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act

³⁶ 2019 Findings on the Worst Forms of Child Labor – Nigeria. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

Compulsory Education Age	Yes	15	Sections 2 and 15 of the Education Act; Section 15 of the CRA
Free Public Education	Yes		Sections 2-3 of the Education Act; Section 15 of the CRA

iii. Institutional framework for child protection

Nigeria has several authorities responsible for the rights of the child:

- The National Agency for the Prohibition of Trafficking in Persons (NAPTIP);
- The Nigeria Immigration Service;
- The Nigeria Police Force;
- The Nigerian Federal Ministry of Labour and Employment (MOLE)'s Labor Inspectorate; and
- State Taskforces Against Human Trafficking

Institutional efforts are supported by the active involvement of various national private social partners, non-governmental organizations (NGOs) and associations in the legal, health, and education fields. Additionally, several national programs and projects benefit from the support of multilateral partners such as the ILO, the United Nations Children’s Fund (UNICEF), and the World Bank.

Although the government has implemented programs to assist victims of child labor and child trafficking, the scope of these programs is insufficient and does not fully address the extent of the problem due to the lack of resources for inspections.³⁷ Research did not find mechanisms to enforce existing protections for children in the informal sector. The main challenges facing the country include:

- Nigeria’s laws on minimum age for employment are inconsistent. The CRA supersedes all legislation related to children, yet it states that the provisions related to young people in the Labour Act (which sets the minimum age for work at 12) still apply to children.
- Although the Labour Act forbids the employment of children under age 18 in work that is dangerous to their health, safety, or morals, it does not establish the types of hazardous activity that are prohibited.

³⁷ 2019 Findings on the Worst Forms of Child Labor – Nigeria. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

- Although the CRA criminalizes using, procuring, and offering a child in the production and trafficking of drugs, the 10 states that have not yet ratified the CRA have no legislation criminalizing this activity.
- Children are not excluded from the Terrorism Prevention Act’s penalty of life imprisonment for assisting in acts of terrorism.
- There are insufficient labor inspectors for Nigeria’s workforce (approximately 60 million people).
- At least three government officials were prosecuted for exploitation of a minor (child trafficking and commercial sexual exploitation).

iv. *Key policies and social programs related to child labor*

USDOL-ILAB reported that the Nigerian government has established policies and funded programs to address child labor, but there are gaps in implementation and sector coverage.³⁸

Table 7: Key Policies Related to Child Labor³⁹

Policy	Description
NAPTIP 2019 Plan of Action (may be inactive during assessment)	Provides a framework for mobilizing NAPTIP and all stakeholders involved in combating human trafficking, with an emphasis on enforcement, prosecution, and victims’ services.
National Action Plan for Preventing and Countering Violent Extremism	<p>Designed to end the recruitment and use of children by the Civilian Joint Task Force (CJTF). The plan aims to promote the protection of children’s rights; ensure that criminal suspects under 18 are treated in accordance with international law; and provide for disarmament, demobilization, and reintegration for children previously associated with CJTF.</p> <p>In 2019, CJTF conducted awareness-raising activities to prevent child laborer recruitment and cooperated with Borno State officials and the UN Country Task Force on monitoring and reporting during the verification and screening procedures.</p>

³⁸ 2019 Findings on the Worst Forms of Child Labor – Nigeria. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

³⁹ 2019 Findings on the Worst Forms of Child Labor – Nigeria. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

Table 8: Key Social Programs Related to Child Labor⁴⁰

Program	Description
Accelerating action for the elimination of child labour in supply chains in Africa (ACCEL Africa) (2018-2022)	An ILO-sponsored regional project aimed at eliminating child labor in supply chains, with particular focus on those involved with the production of cocoa coffee, cotton, gold, and tea. Collaborates with global supply chain actors working in Africa on public policy, good governance, empowerment, representation, partnership, and knowledge sharing.
NAPTIP shelters for human trafficking victims†	A government-funded program that operates 10 shelters in Nigeria, with a total capacity of 315 victims. Shelters provide legal, medical, and psychological services, as well as vocational training and business management skills. Continued to provide services to victims in 2019.
Measurement, awareness-raising, and policy engagement project on child labor and forced labor	A USDOL-funded project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor.
World Bank-funded programs	<p>These projects aim to improve access to education.</p> <ul style="list-style-type: none"> • The National Social Safety Net Project (2016–2022) is a \$50 million project that aims to provide primary school lunches and offers conditional cash transfers based on children’s enrollment; • Nigeria’s Partnership for Education Project (2015–2019) is a \$100 million endeavor to improve education access and quality in selected states, particularly for girls; • The Better Education Service Delivery for All (BESDA) (2017–2022) is a \$611 million project seeking to increase access to education for out-of-school youth and improve literacy. <p>In 2019, the National Social Safety Net Project worked with government partners to prepare for their upcoming year’s activities, while the Partnership for Education Project progressed toward their objectives of:</p> <ul style="list-style-type: none"> • Promoting school effectiveness and improved learning outcomes; • Increasing access to basic education for out-of-school children; and • Strengthening planning and management systems including learning assessment and capacity development.

⁴⁰ 2019 Findings on the Worst Forms of Child Labor – Nigeria. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

	The Partnership for Education Project awarded 13,705 school grants to kindergarten schools. Finally, the BESDA project selected approximately 20,000 schools for its intensive literacy program, which will reach more than 1.2 million first-grade students.
Safe Schools Initiative (may be inactive during assessment)	The donor-funded program was implemented by the government and international organizations aiming to improve access to education in northeastern Nigeria.
† Program is funded by the government of Nigeria.	

v. Stakeholder mapping

The government regulates the cocoa sector in Nigeria. Stakeholder mapping is provided both in this chapter and in Annex 4.

a. Government ministries

The Federal Ministry of Agriculture and Rural Development (FMARD) and the Federal Ministry of Industry, Trade and Investment (FMITI) regulate Nigeria’s cocoa sector.

The FMARD ensures food security in crops, livestock, and fisheries; stimulates agricultural employment and services; promotes the production and supply of raw materials to agriculture industries; provides markets for the products; generates foreign exchange; and aids rural socioeconomic development.

The FMITI was created to diversify Nigeria’s economy by promoting trade and investment, particularly non-oil and gas products. The FMITI also formulates policies to create wealth and employment, reduce poverty and enhances service delivery while stimulating domestic economic growth through industrialization, trade and investment.

The Nigerian MOLE and Federal Ministry of Women Affairs and Social Development are also involved in the fight against child labor, including in the agriculture sector.

To promote labor rights and child protection, the government of Nigeria has signed on to regulatory and institutional frameworks. There are two coordinating bodies:

- National Steering Committee for the Elimination of the Worst Forms of Child Labour
- Inter-Ministerial Taskforce on Trafficking in Persons

The National Steering Committee is led by MOLE and comprises representatives from seven governmental agencies, faith-based organizations, NGOs, ILO, and UNICEF. It coordinates efforts to combat child labor across these entities. The Inter-Ministerial Taskforce on Trafficking in Persons is chaired by the NAPTIP and aims to coordinate

child labor issues related to human trafficking. However, it is unclear if these coordinating bodies are currently active.⁴¹

b. Nigeria Export Promotion Council (NEPC)

The NEPC is the federal government of Nigeria's key institution for promoting the development and diversification of exports. The NEPC coordinates and harmonizes export development and promotion activities in the country takes the lead in all national export programs; and interfaces with international trade agencies on cooperation and capacity building.⁴²

The NEPC provides a general introduction to the cocoa sector on its website, including the reason to buy cocoa from Nigeria and the trade performance of cocoa. It also includes an exporter's directory to prospective buyers, authenticates export certificates, provides maps of cocoa products' locations, and increases opportunities for communication between cocoa buyers and producers through trade shows.

c. The Cocoa Association of Nigeria (CAN)

CAN was established in 1986 to meet the needs of cocoa farmers, processors and other stakeholders. It aims to ensure the Nigerian cocoa industry's sustainability and development. The organization represents Nigeria in all international cocoa organizations. It monitors issues related to quality, contract violations, trade regulations, and government policies affecting cocoa marketing. Its functions also support farmers by fostering collaboration for growth, empowering farmers through training programs and education, and providing a credit system. In addition, it facilitates financial and market regulations and information dissemination for the cocoa sector.

d. International organizations

There are several international organizations working on various initiatives in the cocoa sector:

- ILO;
- International Coffee and Cocoa Organization;
- Plan International;
- SOS Children's Villages;
- UNICEF; and
- World Cocoa Foundation.

In addition, UTZ (now UTZ-RA) has provided certifications to cocoa farmers in Nigeria.

⁴¹ 2019 *Findings on the Worst Forms of Child Labor – Nigeria*. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf

⁴² Nigerian Export Promotion Council. (n.d.). *Cocoa*. <https://nepc.gov.ng/importer/nigeria-product/cocoa/>

9. Annex 2

Assessment Methodology

FLA combined various qualitative and quantitative data collection techniques through internal and external data gathering tools. Qualitative information was gathered through field visits, individual interviews, observations, and FGDs. Quantitative data was collected from the field and through an IMS evaluation with ofi Nigeria staff. In addition, assessors used child-sensitive approaches and followed the ILO-International Programme on the Elimination of Child Labour guidelines on research with children on the worst forms of child labor and UNICEF Principles for Ethical Reporting on Children.

43

The FLA team was composed of:

- a. FLA's Program Director of Agriculture, Supply Chain and Innovation;
 - b. FLA Agriculture Program Manager, Africa;
 - c. Two external assessors from a partner organization; and
 - d. A data entry and processing specialist.
- i. *Desk-based research*

The FLA team conducted a desk-based review of documents and information provided by ofi. The team also conducted online research and held interviews with stakeholders to understand Nigeria's cocoa context, as well as:

- a. Organizations active in the cocoa sector;
 - b. Civil society organizations operating in the country;
 - c. Nigeria's national regulatory and legislative framework on labor standards;
 - d. Documented labor risks; and
 - e. The institutional framework for addressing Nigeria's labor risks.
- ii. *Supply chain mapping and IMS evaluation*

FLA's team collected baseline data from ofi by phone and email before the field visits. This data provided an overview of the cocoa supply chain in Nigeria, cocoa procurement system and ofi's cocoa procurement system in Nigeria. This overview assisted in defining the sample size for the assessment and selection of the assessment locations. The FLA team met with ofi's local sustainability staff to evaluate of the IMS, including policies and procedures, implementation plans and corresponding documentation. Assessors used the supply chain mapping template and the IMS Evaluation Tool for this purpose.

⁴³ UNICEF Press Centre. (n.d.). *Ethical reporting guidelines*. UNICEF. <https://www.unicef.org/media/reporting-guidelines>

iii. Stakeholder consultations

The team met with various stakeholders from government bodies, international organizations, local NGOs, and professional associations:

- Action Health Incorporated;
- The Cocoa Association of Nigeria;
- The Cocoa Research Institute of Nigeria;
- ILO; and
- Nigeria's Federal Ministry of Agriculture and Rural Development.

iv. Community profiling

The aim of the community profiling was to assess ofi's visibility and the structure of the visited communities, existing social groups and culture, and infrastructure and economic activities to recognize the root causes of labor rights issues. Assessors met with village chiefs and held FGDs with community members.

v. Household profiling and farm assessment

The assessors visited selected farmers' households and farms; they interviewed farmers, workers, and children and used the Labor Risk Assessment Form and the Farm Assessment Instrument. Assessors collected farmers' and workers' demographic data, as well as information on their households and family size, employment and education status, the role of women and children in the household, and the households' needs for childcare, child protection, and educational access. Profiling enabled assessors to gather information on family members and the visibility and understanding of workers' knowledge of labor policies, assess farms' labor risks, search for evidence of abuse and child labor, and map existing initiatives which address child labor.

vi. Data entry, processing, and reporting

The team used Microsoft Excel to gather and process this report's data.

vii. Development of recommendations

Based on the findings, assessors and FLA provided recommendations to ofi for enforcing IMS interventions to prevent and remediate labor abuses in its supply chain.

10. Annex 3

Domestic Organizations

Domestic organizations, mainly civil society, are active in protecting against child labor, forced labor, and sex trafficking in Nigeria:

- [Africa Youth Growth Foundation](#)
- [Child and Youth Protection Foundation](#)
- [Daughters of Abraham Foundation](#)
- [Devatop Centre for Africa Development](#)
- [Grassroots Health Organisation of Nigeria](#)
- [Idia Renaissance](#)
- [Intercommunity Development Social Organisation](#)
- [The Network for Justice and Democracy](#)
- [Save the Children Initiative](#)
- [Sympathy Worldwide Foundation](#)
- [Women's Consortium of Nigeria](#)

11. Annex 4

External Stakeholder Profile

The cocoa sector stakeholders' past and current work:

Action Health Incorporated was engaged by ofi Nigeria as part of its corporate social responsibility program to provide health education (on topics including breast cancer and HIV/AIDS) and services to cocoa farmers in Ogun and Cross Rivers states.

The Cocoa Association of Nigeria provided training to cocoa farmworkers and producers on the harmful effects and effective handling of agrochemicals and equipment maintenance.

The Cocoa Research Institute of Nigeria:

- Distributed newly developed and genetically improved high-yield seedling varieties to Nigeria's cocoa farmers;
- Assessed the genetic diversity of Nigeria's cocoa;
- Developed fertilizer requirements for cultivating cocoa in various' states different environmental features and conditions;
- Developed organic material-based manure for cocoa nurseries;
- Utilized a farmer participatory approach for cocoa cultivation and organic material composting in Cross Rivers state; and
- Facilitated proper agrochemical use and natural solutions for pests, diseases, and weeds.

The ILO:

- Implemented the [West Africa Cocoa and Commercial Agriculture Project to combat hazardous and exploitative child labour](#) through its International Programme on the Elimination of Child Labour in Cameroon, Cote d'Ivoire, Ghana, Guinea and Nigeria
- Created "[Accelerating action for the elimination of child labour in supply chains in Africa \(ACCEL Africa\)](#)," which is focused on cocoa and small-scale mining. The project has recognized child labor issues in the cocoa sector in Ondo and Osun states.
- Strengthened the legal framework, reviewed and validated the national policy on child labor with the Federal Ministry of Employment, Labour and Productivity; adopted an integrated approach to strengthen national labor legislation and policy standards; reviewed existing legal framework to ensure alignment with the Minimum Age Convention.
- Developed the national child labor plan of action for state-level adoption.
- Conducted a gap analysis for farmers cooperatives.

The Ministry of Agriculture, Ogun State provided seedlings, approved chemicals and pesticides, and soil testing; facilitated the formation of farmers' cooperative unions; and offers training and awareness-building for farmers and workers on reducing child labor.

Key obstacles to the implementation of external stakeholders' programs included:

- Limited funding and poor organization of farmers;
- Poor road networks and lack of mobile telecommunications signals;
- COVID-19 caused delays in implementation; and
- Employers' lack of acceptance of labor standards improvement programs.

12. References

- Asani, M. A., et al. (2011, April). *Literature Review on Local Government in Nigeria - Part A: Definitions and History of Local Government*. Nova Science Publishers.
https://www.researchgate.net/publication/255716553_Literature_Review_on_Local_Government_in_Nigeria_-_Part_A_Definitions_and_History_of_Local_Government
- CARE International. (n.d.). *Village Savings and Loans Associations*. <https://www.care-international.org/what-we-do/womens-economic-justice/village-savings-and-loans-associations>
- The Center for Public Policy Alternatives. (2017, November 7). *Cocoa Production in Nigeria: A Literature Review*.
<https://cppparesearch.org/cocoa-production-in-nigeria/>
- Commonwealth Local Government Forum. *Country Profile 2019 –The Local Government System in Nigeria*. (2019).
https://www.clgf.org.uk/default/assets/File/Country_profiles/Nigeria.pdf
- Food and Agriculture Organization of the United Nations. (2012). *Nigeria at a glance*. <http://www.fao.org/nigeria/fao-in-nigeria/nigeria-at-a-glance/en/>
- IndustryARC. (2019, November 1). *Nigerian Cocoa Market Hitting Mainstream as Cocoa Emerges as the Prominent Foreign Exchange Earner* [press release].
<https://www.industryarc.com/PressRelease/2252/Nigerian-Cocoa-Market-Research.html>
- Nigeria – Economy. (2023, March 9). *Encyclopedia Britannica*.
<https://www.britannica.com/place/Nigeria/Economy>
- Nigerian Export Promotion Council. (n.d.). *Cocoa*.
<https://nepc.gov.ng/importer/nigeria-product/cocoa/>
- The Nigerian Federal Ministry of Women Affairs. (July/August 2004). *Country Report on Violence Against Children*.
<https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRC/StudyViolenceChildren/Responses/Nigeria.pdf>
- Okojie, J. (2020, April 22). *Nigeria's cocoa midcrop export to shrink as coronavirus hits global demand*. Business Day.
<https://businessday.ng/agriculture/article/nigerias-cocoa-midcrop-export-to-shrink-as-coronavirus-hits-global-demand/>
- Olujide, M.G. & Adeogun, S.O. (2006). *Assessment of cocoa growers' farm management*

- practices in Ondo State, Nigeria. *Spanish Journal of Agricultural Research* 4(2), 173-179. <https://revistas.inia.es/index.php/sjar/article/view/189/186>
- O'Neill, A. (2023, May 25). *Nigeria: Distribution of gross domestic product across economic sectors from 2011 to 2021*. Statista. <https://www.statista.com/statistics/382311/nigeria-gdp-distribution-across-economic-sectors/>
- PwC. (2019). *Unlocking Nigeria's Agricultural Exports*. <https://www.pwc.com/ng/en/assets/pdf/unlocking-ngr-agric-export.pdf>
- Reemer, T. & Makanza, M. (2014). *Gender Action Learning System: Practical Guide for Transforming Gender and Unequal Power Relations in Value Chains*. Oxfam Novib. https://www.oxfamnovib.nl/Redactie/Downloads/English/publications/150115_Practical%20guide%20GALS%20summary%20Phase%201-2%20lr.pdf
- Shahbandeh, M. (2023, March 27). *Production of cocoa beans in Nigeria from 2012/2013 to 2022/2023*. Statista. <https://www.statista.com/statistics/497865/production-of-cocoa-beans-in-nigeria/>
- The United States Department of Labor-Bureau of International Labor Affairs. *2019 Findings on the Worst Forms of Child Labor – Nigeria*. (2019). https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Nigeria.pdf
- The World Bank. (2022). *Data – Nigeria*. <https://data.worldbank.org/country/nigeria>
- United Nations Children's Fund (UNICEF). (n.d.) *Nigeria: Education*. [unicef.org/nigeria/education](https://www.unicef.org/nigeria/education)
- The WageIndicator Foundation. (2022, May 16). <https://mywage.ng/labour-law/compensation#:~:text=As%20specified%20under%20the%20National>
- Williams, O.A., Famuyiwa, B.S. & Abdulkarim, I.F. (2016). Perception of Nigerian Cocoa Farmers on Child Labour: Implications for Hazardous Child Labour. *Asian Journal of Agricultural Extension, Economics & Sociology* 10(3), 1-11. https://www.researchgate.net/publication/300002842_Perception_of_Nigerian_Cocoa_Farmers_on_Child_Labour_Implications_for_Hazardous_Child_Labour