



**COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)<sup>1</sup>: GHANA**

***THE EFFECTIVE ABOLITION OF CHILD LABOUR (CL)***

<b>REPORTING</b>	<b>Fulfillment of Government's reporting obligations</b>	<b>YES</b> except for the 2000 and 2004 Annual Reviews (ARs).
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	<b>YES</b> according to the Government: Involvement of the Ghana Mines Workers Union (GMWU), the Health Service Workers Union (HSWU), Local Government Workers Union (LGWU), the Public Utility Workers Union (PSWU), the Maritime and Dock Workers Union (MDU), the National Union of Seaman (NUS), the Ghana Private Road Transport Union (GPRTU), the General Agricultural Workers Union (GAWU), the Timber and Wood Workers Union (TWU), the Communication Workers Union (CWU), the Construction and Building materials Workers Union (CBMWU), the Teachers and Educational Workers Union (TEWU), the Railway Workers Union (RWU), the Railway Enginemen's Unions (REU), the General Transport Petroleum and chemical Workers Union (GPTCWU), the Union of Commerce Industry and Finance (UNICOF), the GEA (Ghana Employers Association) and the GTUC (Ghana Trades Union Congress) through communication of the Government's reports.
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	<b>2008 AR:</b> Observations by the GEA. <b>2007 AR:</b> Observations by the GEA. <b>2006 AR:</b> Observations by the GEA. <b>2005 AR:</b> Observations by the GEA.
	<b>Workers' organizations</b>	<b>2008 AR:</b> Observations by the GTUC. <b>2007 AR:</b> Observations by the GTUC that is comprised of 17 affiliates. <b>2006 AR:</b> Observations by the GTUC. <b>2005 AR:</b> Observations by the GTUC. <b>2002 AR:</b> Observations by the International Confederation of Free Trade Unions (ICFTU).

<sup>1</sup> Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: [www.ilo.org/ilolex](http://www.ilo.org/ilolex)

<b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b>	<b>Ratification</b>	<b>Ratification status</b>	<b>Ghana ratified in 2000 the Worst Forms of Child Labour Convention, 1999 (No. 182) (C.182). However, it has not ratified the Minimum Age Convention, 1973 (No. 138) (C.138)</b>
		<b>Ratification intention</b>	<p><b>YES since 2001, for the Minimum Age Convention, 1973 (No. 138) (C.138).</b></p> <p><b>2008 AR:</b> According to the Government, the process is currently before the Attorney General’s Office. It will then be reviewed by the Cabinet, which is already committed to ratify this Convention. According to the GEA: it supports the ratification of C.138. According to the GTUC: it supports the ratification of C.138 and indicates that the document is currently before the Cabinet and will be subsequently submitted to Parliament for final approval.</p> <p><b>2007 AR:</b> According to the Government: Ratification of C.138 by Ghana is still in process. The GEA and the GTUC stated that this ratification process should be accelerated, in cooperation with the ILO.</p> <p><b>2005 AR:</b> The Government stated that it would soon ratify C.138.</p> <p><b>2002 AR:</b> The Government stated that the Bill for ratification of C.138 was before Parliament.</p> <p><b>2001 AR:</b> The Government stated that the National Advisory Committee on Labour (NACL) has recommended the ratification of C.138.</p>
	<b>Recognition of the principle and right (prospect(s), means of action, basic legal provisions)</b>	<b>Constitution</b>	<b>YES</b> , the 1992 Constitution, article 28(2), provides that: «Every child has the right to be protected from engaging in work that constitutes a threat to his health, education or development.» Moreover, articles 16 and 28 of the same text provide for protection against slavery and forced labour of any person and the enactment of legislation ensuring that children and young persons receive special protection against exposure to physical and moral hazards, respectively.
		<b>Policy, legislation and/or regulations</b>	<ul style="list-style-type: none"> <li>• <b>Policy</b></li> </ul> <p><b>2007 AR:</b> According to the Government: The Ministry of Women and Children Affairs has drawn up a 3 year Strategic Development Plan to implement the National Gender and Children Policy in collaboration with stakeholders and has set up a Secretariat to co-ordinate and monitor the implementation of the Human Trafficking Law.</p>

<b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b>		<p>Furthermore, the Government indicated that it had adopted a policy called the Capitation Grant Scheme which sought to take care of minor levies at the basic school level that might otherwise prevent children from going to school.</p> <p><b>2002-2007 ARs:</b> According to the Government: The principle and right (PR) is recognized in national policy. A tripartite national advocacy strategy on child labour is being developed in cooperation with the GEA and the. For instance, the Government has adopted a policy on Free, Compulsory and Universal Basic Education (FCUBE), which aims at ensuring that every child acquires basic education within the next five years. There is also a poverty alleviation Programme to improve family income, since poverty has been identified as the root cause of child labour. A three-year Child Trafficking Project was launched by the Government in cooperation with the ILO/International Programme on the Elimination of Child Labour (IPEC).</p> <ul style="list-style-type: none"> <li>- January 2001: (i) establishment of the Ministry of Women and Children’s Affairs and of the Ministry of Basic Secondary and Girl-Child Education; and (ii) establishment of several institutions to deal with the child labour menace;</li> <li>- November 2000: Development of a National Plan of Action to Combat Child Labour;</li> <li>- August 2000: Establishment of a National Steering Committee on Child Labour;</li> <li>- March 2000: (i) signing of a Memorandum of Understanding between the Government and ILO/IPEC; and (ii) establishment of a Child Labour Unit within the Labour Department to facilitate action on the worst forms of child labour;</li> <li>- Since 1979, the Ghana National Commission on Children (GNCC) formulates policies related to child welfare, and serves as a coordinating body involved in advocacy and monitoring of child-related activities.</li> </ul>
		<ul style="list-style-type: none"> <li>• <b>Legislation</b></li> </ul> <p><b>2006 AR:</b> Children’s Act No. 560 of 1998 refers to the principle and right (PR). Labour Act No. 651 of 2003 has repealed the Labour Decree No.157 of 1967.</p>
		<p><b>Basic legal provisions</b></p> <p>(i) Constitution, article 28(2); (ii) Children’s Act No.560 of 1998; (iii) Courts Act No. 459 of 1993; (iv) Criminal Code Act, No. 29 of 1960; (v) The Criminal Procedure Code of 1960; (vi) the Labour Act No. 651 of 2003; (vii) the Criminal Amendment Act No. 554 of 1998; (viii) the Human Trafficking Act No. 694 of 2005; and (ix) the Education Act of 1960.</p>
		<p><b>Judicial decisions</b></p> <p>NIL</p>
	<b>Exercise of the principle and right</b>	<p><b>Compulsory education</b></p> <p><b>The age of completion of free compulsory schooling (15 years) corresponds to the minimum age for admission to employment or work.</b></p>

		<p><b>Minimum Age</b></p>	<p><b>2003 AR: General minimum age for admission to employment or work: 15 years for both boys and girls (Children’s Act No. 560 of 1998, section 89).</b></p> <p>This general minimum age covers the following types of work: work performed in a family-owned/operated enterprise; work performed in enterprises below a certain size (small); domestic service; self-employed work; commercial agriculture; family and small-scale agriculture; work performed in export processing zones; and all types of work excluding light work.</p> <p><b>Light work: minimum age of 13 years for both boys and girls (Children’s Act, section 90).</b> This type of work is defined as «work which is not likely to be harmful to the health or development of a child and does not affect the child’s attendance at school or the capacity of a child to benefit from school work».</p> <p><b>Hazardous work: minimum age of 18 years for both boys and girls (Children’s Act, section 91.3).</b></p>
		<p><b>Worst Forms of Child Labour</b></p>	<p><b>C. 182 has been ratified.</b></p>
		<p><b>Special attention to particular situations</b></p>	<p><b>2003 AR:</b> According to the Government: Street children, children operating in cocoa and commercial agriculture and children who are victims of trafficking.</p>
<p><b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b></p>	<p><b>Exercise of the principle and right</b></p>	<p><b>Information/Data collection and dissemination</b></p>	<p><b>2007 AR:</b> The Government indicated that the Ghana Statistical Service had conducted a survey on child labour in the country in 2005.</p> <p><b>2006 AR:</b> According to the Government: A child labour monitoring system (CLMS) has been established in 2005, including a database to collect national information on child labour. This information is analyzed and disseminated. Moreover, a study on occupational safety and health has been carried out by the MOH and WACAP.</p> <p><b>2001-2003 ARs:</b> Establishment in March 2000 of the Statistical Information and Monitoring Programme on Child Labour (SIMPOC). The Government also undertakes surveys that provide statistical information on the extent and/or nature of child work. The results are presented separately by: sex, age (five to 16 years), occupation, type of activity and number of hours worked.</p>
	<p><b>Prevention, monitoring, enforcement and/or sanction mechanisms</b></p>		<p><b>2007 AR:</b> According to the Government: National laws prohibit child labour and provide sanctions against these violations.</p> <p><b>2006 AR:</b> According to the Government: The CLMS prevents and monitors child labour within the country, with the involvement of the communities.</p> <p><b>2001-2003 ARs:</b> According to the Government: The Ghana National Commission on Children (GNCC), a public institution, is involved in the monitoring of child-related activities, labour inspection to ensure law enforcement in both formal and informal economy (Children’s Act, 1998, sections 95 and 96). The Ghana Private Road Transport Union has been monitoring the trafficking of children. The police and social welfare officers can make investigation on child labour issues. Penal Sanctions from fine to imprisonment are provided for under the Children’s Act, 1998, section 94(1) and (2).</p>

	<p><b>Involvement of the social partners</b></p>	<p><b>2001-2006 ARs:</b> According to the Government: Employers' and workers' organizations (and civil society) are involved in the establishment and functioning of the following committees and task forces: ILO/IPEC National Steering Committee; ILO/IPEC Educational Task Force; ILO/IPEC National Task Force against trafficking of children for labour exploitation; and the ILO/IPEC West Africa Cocoa and Agricultural Project (WACAP). Moreover, the Ghana Private Road Transport Union has been monitoring trafficking of children.</p>
	<p><b>Promotional activities</b></p>	<p><b>2008 AR:</b> The Government reports the following activities: (i) a workshop was organized in May 2007 by the Child Labour Unit of the Department of Labour in order to strengthen its capacity in combating child labour; (ii) a national training on child labour is being undertaken with key stakeholders, such as labour inspectors, factory inspectors, social welfare officers, district assembly and cooperative officers; (iii) a National Steering Committee on Child Labour has been established to strengthen capacity building and awareness raising on child labour issues through TV and radio programmes; (iv) several seminars on child labour have been carried out in 21 districts of the country; (v) districts have developed their own programmes to increase school enrolment and more schools are being built; and (vi) district micro-finance programmes have been created.</p> <p>The GEA indicated that a Code of Conduct tackling the issue of child labour in palm plantations had been elaborated in 2007 after due consultations. One will be also conducted in the cotton industry.</p> <p>The GTUC indicated that one of their affiliates, the General's Agricultural Worker's Union (GAWU), carried out two projects in collaboration with ILO/IPEC. The first project dealt with worst forms of child labour in the fishing community and the second to encouraged all affiliates to negotiate collective agreement clauses in order to prevent employers from engaging children. Scholarships are also awarded to encourage children. The GTUC also stated that several seminars, discussions through TV and radio broadcastings have been set up. Finally, it added that a Memorandum was adopted on the ratification of C. 138 after tripartite consultation.</p> <p><b>2007 AR:</b> According to the Government: A National Task Force on Human Trafficking has been established to sensitize, train and equip stakeholders with the skills for appropriate handling of human issues.</p> <p>The GEA and the GTUC stated that they had carried out various surveys on child labour in the country in cooperation with ILO/IPEC.</p> <p><b>2001-2003 ARs:</b> According to the Government: the GNCC is involved in advocacy of child-related activities. The Commission on Human Rights and Administrative Justice (CHRAJ), a public institution (with an ombudsman status), is involved in nationwide advocacy on the rights of children. The Government also organizes awareness raising/advocacy activities, including an Information, Education and Communication (IEC) package for public institutions and NGOs and a vocational and skills training for young workers. The GEA observed that it had carried out awareness raising activities on the existence of child labour and its implication in the future development of enterprises and the development of the economy, with a view to eradicating this phenomenon in the informal economy.</p> <p>The GTUC observed that it had organized educational programmes for affiliates on the integration of child labour issues into collective agreements. Moreover, the General Agriculture Workers' Union has carried out some research on the use of child labour in certain areas of the country (Volta Lake and Northern region of Ghana).</p>

<p><b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b></p>	<p><b>Special initiatives/Progress</b></p>	<p><b>2008 AR:</b> According to the Government: A new Human Trafficking Board (that includes child labour) has been established. In addition, a National Programme to Eliminate Child Labour in the Cocoa Sector has been set up by the Ministry of Manpower, Youth and Employment.</p> <p><b>2006 AR:</b> According to the Government: A White Paper explaining its policy on early child development (ECD), on education, school feeding and fee paying has been published. It has now taken over fee payment and school feeding for at least one daily meal. In this respect, the ECD is now part of the regular basic school system to protect children and ensure that they receive quality education. A youth employment initiative has also been launched.</p> <p><b>2005 AR:</b> According to the Government: Parents of working children are assisted in having access to small credit in order to set up micro-enterprises to sustain them and their children. According to the GTUC: In partnership with ILO/IPEC, employers' and workers' organizations, NGOs, as well as governmental agencies (such as the Ghana police service, the Ghana immigration service, the judicial service and the Ministry of Women and Children's Affairs), child workers are being withdrawn from their worksites and reintegrated into their families and schools. In particular, some GTUC affiliates like the Teachers and Educational Workers' Union have a project in collaboration with Education International through which children working in the border towns have been withdrawn and sent to school. The project pays their school fees and also gives them meals. The Action Programme on the tourism sector has withdrawn a total of 290 children, out of which 250 have been placed in formal or non-formal education classes. The remaining 40 children are yet to be placed in schools.</p> <p><b>2003 AR:</b> According to the Government: A national Poverty Reduction Programme including a Street Children component was launched in cooperation with the World Bank. Moreover, several projects to withdraw working children, counsel and mainstream them into formal or informal schools have been carried out in cooperation with ILO/IPEC In this respect, a total of 1,006 children have been withdrawn from work and mainstreamed into schools.</p>	
<p><b>CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT</b></p>	<p><b>According to the social partners</b></p>	<p><b>Employers' organizations</b></p>	<p><b>2008 AR:</b> The GEA reiterated the same challenges mentioned in the 2005 to 2007 ARs (namely in hairdressers, garages etc.)</p> <p><b>2005- 2007 ARs:</b> According to the GEA, child labour is prevalent in the informal economy.</p>
		<p><b>Workers' organizations</b></p>	<p><b>2008 AR:</b> According to the GTUC: institutional structures are weak. For example, factory inspectors are understaffed and not well equipped. Campaign material is also scarce. The GTUC added that the members of its confederation are changing and that new staff members need training. Finally, it noted that the frequent change of labour ministers made it difficult for workers' unions to engage in long-term collaboration with the Government.</p> <p><b>2007 AR:</b> According to the GTUC: Poverty is a challenge to the elimination of child labour in Ghana, and this scourge exists in urban and rural areas.</p> <p><b>2002 AR:</b> The ICFTU raised the following challenges: (i) children, especially girls, frequently drop out of school due to economic pressures: (ii) non-observance of the law on minimum age for admission to employment or work employment; and (iii) widespread practice of child labour, with an estimate that 12 per cent of children aged 10 to 14 are economically active, especially girls working as domestic servants and children working in rural areas within their families.</p>
	<p><b>According to the Government</b></p>	<p><b>2008 AR:</b> According to the Government: The Labour Department lacks capacity to address child labour that is found mainly in rural areas and in the informal economy.</p>	

		<p>According to the Ghana Trade Union Congress (GTUC): (i) the institutional structures are weak, and factories inspections are understaffed and under equipped; (ii) campaign material are scarce; (iii) members of the GTUC are changing and the new staff members need training; and (iv) the frequent change of labour ministers makes it difficult for workers' unions to engage in long-term collaboration with the Government.</p> <p><b>2006-2007 ARs:</b> There is a widespread ignorance on child labour issues.</p> <p><b>2002-2003 ARs:</b> The Main difficulties encountered in Ghana in realizing the PR are as follows: (i) poverty; and (ii) the Free Compulsory Universal Basic Education (FCUBE) Programme is not entirely free.</p>
<b>TECHNICAL COOPERATION</b>	<b>Request</b>	<p><b>2008 AR:</b> According to the Government: there is a need for ILO technical cooperation regarding capacity reinforcement. According to the GTUC: ILO technical cooperation is needed for the training of new members of the worker's confederation; providing campaign materials; and for assisting in the elaboration of a national survey on child labour.</p> <p><b>2003-2007 ARs:</b> According to the Government: Needs for ILO technical cooperation to facilitate the realization of the PR in Ghana exist in the following areas, in order of priority: (1) special programme for the elimination of the worst forms of child labour; (2) awareness raising, legal literacy and advocacy; (3) inter-institutional coordination; (4) strengthening capacity of employers' and workers' organizations; (5) data collection and analysis; (6) training of other officials (e.g. police, judiciary, social workers, teachers); (7) capacity-building of responsible government institutions (e.g. labour inspection and administration); (8) employment creation, skills training and income generation; (9) policy advice; (10) social protection systems; (11) cross-border cooperation mechanisms; (12) Sharing of experience across countries and regions; (13) legal reform.</p> <p><b>AR 2007:</b> The GEA and the GTUC requested further capacity building of their members and surveys on child labour issues, but also ILO assistance to accelerate ratification of C.138 by Ghana.</p>
	<b>Offer</b>	<p><b>2006-2007 ARs:</b> ILO/IPEC Time-Bound Programme.</p> <p><b>2000-2005 ARs:</b> ILO, ILO/IPEC, UNICEF, UNDP, the World Bank and international and local NGO's.</p>
<b>EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS</b>	<b>2008 AR:</b> The ILO Declaration Expert-Advisers (IDEAs) considered that universal ratification of the child labour Conventions was not a distant dream but an achievable goal, in view of the number of States, including Ghana, having expressed their intention to ratify C.138 and/or C.182 (Cf. Paragraph 56 of the 2008 Annual Review Introduction – ILO: GB.301/3).	
<b>GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS</b>	NIL	